

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-EIGHTH PARLIAMENT**

**FIRST SESSION**

**Wednesday, 4 May 2016**

**(Extract from book 7)**

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# HANSARD<sup>150</sup>



1866–2016

Following a select committee investigation, Victorian Hansard was conceived when the following amended motion was passed by the Legislative Assembly on 23 June 1865:

That in the opinion of this house, provision should be made to secure a more accurate report of the debates in Parliament, in the form of *Hansard*.

The sessional volume for the first sitting period of the Fifth Parliament, from 12 February to 10 April 1866, contains the following preface dated 11 April:

As a preface to the first volume of “Parliamentary Debates” (new series), it is not inappropriate to state that prior to the Fifth Parliament of Victoria the newspapers of the day virtually supplied the only records of the debates of the Legislature.

With the commencement of the Fifth Parliament, however, an independent report was furnished by a special staff of reporters, and issued in weekly parts.

This volume contains the complete reports of the proceedings of both Houses during the past session.

In 2016 the Hansard Unit of the Department of Parliamentary Services continues the work begun 150 years ago of providing an accurate and complete report of the proceedings of both houses of the Victorian Parliament.



## **The Governor**

The Honourable LINDA DESSAU, AM

## **The Lieutenant-Governor**

The Honourable Justice MARILYN WARREN, AC, QC

## **The ministry**

Premier . . . . .	The Hon. D. M. Andrews, MP
Deputy Premier and Minister for Education . . . . .	The Hon. J. A. Merlino, MP
Treasurer . . . . .	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Employment . . . . .	The Hon. J. Allan, MP
Minister for Small Business, Innovation and Trade . . . . .	The Hon. P. Dalidakis, MLC
Minister for Industry, and Minister for Energy and Resources . . . . .	The Hon. L. D'Ambrosio, MP
Minister for Roads and Road Safety, and Minister for Ports . . . . .	The Hon. L. A. Donnellan, MP
Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans . . . . .	The Hon. J. H. Eren, MP
Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries . . . . .	The Hon. M. P. Foley, MP
Minister for Emergency Services, and Minister for Consumer Affairs, Gaming and Liquor Regulation . . . . .	The Hon. J. F. Garrett, MP
Minister for Health and Minister for Ambulance Services . . . . .	The Hon. J. Hennessy, MP
Minister for Training and Skills . . . . .	The Hon. S. R. Herbert, MLC
Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations . . . . .	The Hon. N. M. Hutchins, MP
Special Minister of State . . . . .	The Hon. G. Jennings, MLC
Minister for Families and Children, and Minister for Youth Affairs . . . . .	The Hon. J. Mikakos, MLC
Minister for Environment, Climate Change and Water . . . . .	The Hon. L. M. Neville, MP
Minister for Police and Minister for Corrections . . . . .	The Hon. W. M. Noonan, MP
Attorney-General and Minister for Racing . . . . .	The Hon. M. P. Pakula, MP
Minister for Agriculture and Minister for Regional Development . . . . .	The Hon. J. L. Pulford, MLC
Minister for Women and Minister for the Prevention of Family Violence . . . . .	The Hon. F. Richardson, MP
Minister for Finance and Minister for Multicultural Affairs . . . . .	The Hon. R. D. Scott, MP
Minister for Planning . . . . .	The Hon. R. W. Wynne, MP
Cabinet Secretary . . . . .	Ms M. Kairouz, MP

### Legislative Council committees

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

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

### Legislative Council standing committees

**Standing Committee on the Economy and Infrastructure** — #Ms Dunn, Mr Eideh, Mr Elasmarr, Mr Finn, Ms Hartland, Mr Leane, Mr Morris and Mr Ondarchie.

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

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

# participating members

### Legislative Council select committees

**Port of Melbourne Select Committee** — Mr Barber, Mr Drum, Mr Mulino, Mr Ondarchie, Mr Purcell, Mr Rich-Phillips, Ms Shing and Ms Tierney.

### Joint committees

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

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

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

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

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

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

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

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

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

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

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

### Heads of parliamentary departments

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

*Council* — Clerk of the Legislative Council: Mr A. Young

*Parliamentary Services* — Secretary: Mr P. Lochert

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

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

**Deputy President:** Ms G. TIERNEY

**Acting Presidents:** Ms Dunn, Mr Eideh, Mr Elasmar, Mr Finn, Mr Morris, Ms Patten, Mr Ramsay

**Leader of the Government:**

The Hon. G. JENNINGS

**Deputy Leader of the Government:**

The Hon. J. L. PULFORD

**Leader of the Opposition:**

The Hon. M. WOOLDRIDGE

**Deputy Leader of the Opposition:**

The Hon. G. K. RICH-PHILLIPS

**Leader of The Nationals:**

The Hon. D. K. DRUM

**Leader of the Greens:**

Mr G. BARBER

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

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

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

**PARTY ABBREVIATIONS**

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



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**Wednesday, 4 May 2016**

**The PRESIDENT (Hon. B. N. Atkinson) took the chair at 9.35 a.m. and read the prayer.**

**PETITIONS**

**Following petitions presented to the house:**

**Elevated rail proposal**

To the Legislative Council of Victoria:

We, the undersigned citizens of Victoria, call on the Legislative Council of Victoria to note:

the Victorian government is actively advancing plans to construct concrete pylon sky rails on long sections of the Dandenong–Pakenham and Frankston lines as a cheaper alternative to traditional methods of delivering its level crossing removal election commitments;

that affected local communities were not properly consulted in the development of these plans, with many only hearing about it for the first time in a recent article in the *Herald Sun* and subsequent media coverage; and

that affected residents are completely opposed to the construction of sky rails along the Dandenong–Pakenham and Frankston lines, with their inherent greatly increased visual impact and noise pollution and greatly reduced residential amenity and privacy.

We therefore call on the Daniel Andrews Labor government to hold off announcing a preferred tenderer until such time as thorough consultation with affected communities has been undertaken and the depth of the community’s opposition to any sky rail proposal is properly taken into account in its transport planning.

**By Mr DAVIS (Southern Metropolitan) (22 signatures).**

**Laid on table.**

**Elevated rail proposal**

To the Legislative Council of Victoria:

We, the undersigned citizens of Victoria, call on the Legislative Council of Victoria to note:

the Victorian government has announced plans to construct concrete pylon sky rails on long sections of the Dandenong–Pakenham lines as a cheaper alternative to traditional methods of delivering its level crossing removal election commitments;

that affected local communities were not properly consulted in the development of these plans, with reports that those residents most affected by the imposition of sky rail were purposefully excluded from what limited consultation actually occurred; and

that affected residents are completely opposed to the construction of sky rails along the Dandenong–Pakenham lines, with their inherent greatly increased visual impact and noise pollution and greatly reduced residential amenity and privacy.

We therefore demand the Andrews Labor government abandon its cheap and nasty sky rail plans and instead proceed with a rail-under-road solution to level crossing removals as has been so successfully implemented at Burke Road, Glen Iris.

**By Mr DAVIS (Southern Metropolitan) (847 signatures).**

**Laid on table.**

**Abortion legislation**

To the Legislative Council of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the house that because of the abortion legislation passed in Victoria in 2008:

abortions are allowed to be performed up to the point of birth;

babies in the womb who have reached the age of viability and older are being aborted;

it is not necessary for medical care to be provided to babies who have survived an abortion;

there is no obligation for medical professionals to facilitate the provision of access to appropriate services such as pregnancy support, counselling, housing, mental health and other such services for pregnant women experiencing physical or emotional distress.

The petitioners therefore request that the Legislative Council of Victoria support the Infant Viability Bill 2015 introduced by Dr Rachel Carling-Jenkins which will rectify the problems with current law outlined above.

**By Mr YOUNG (Northern Victoria) (1029 signatures),  
Mr FINN (Western Metropolitan) (1588 signatures),  
Mr BOURMAN (Eastern Victoria) (1893 signatures),  
Mr DALLA-RIVA (Eastern Metropolitan) (6635 signatures) and  
Mr MORRIS (Western Victoria) (2608 signatures).**

**Laid on table.**

**OFFICE OF THE PUBLIC ADVOCATE**

**Community visitors report 2014–15**

**Ms MIKAKOS (Minister for Families and Children), by leave, presented government response.**

**Laid on table.**

## PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

### Financial and performance outcomes 2013–14 and 2014–15

**Ms SHING (Eastern Victoria) presented report, including appendices, together with transcripts of evidence.**

**Laid on table.**

**Ordered that report be published.**

**Ms SHING (Eastern Victoria) — I move:**

That the Council take note of the report.

In doing so I would like to make brief reference to the way in which the Public Accounts and Estimates Committee (PAEC) procedures have been undertaken this year in a collegiate and cooperative manner by everyone involved on the committee itself. This procedure, for the first time, involved hearings that included evidence from public servants and departments as well as agencies, and to that end there was a significant change from the status quo that necessitated a level of dexterity and responsiveness from the secretariat and from all staff who have provided assistance to the committee in previous years and have continued to do so for this particular round.

The committee has made a series of findings and recommendations which are based upon the evidence and materials provided in the course of this particular period as well as in the course of evidentiary hearings. To that end the additional support that we were provided as part of that process was germane to the way in which we were able to reach the conclusions that we did in the report.

I would like to echo the sentiments of the chair of PAEC, Mr Danny Pearson, from the other house, in acknowledging the secretariat staff, Phil Mithen, Kathleen Hurley, Alejandro Navarrete, Bill Stent, Melanie Hondros and Amber Candy, for the excellent support and assistance they gave to the committee in facilitating a lot of the work that was needed to be completed behind the scenes for us to embark upon a new step as far as a Public Accounts and Estimates Committee analysis goes. Their making sure that we had what we needed, getting the presentations and answers to members' questions in a timely fashion and being able to understand and interrogate the evidence that was being provided to the committee were crucial. To that end the committee was greatly assisted by the way in which it was supported by the secretariat.

The committee's findings and recommendations across the areas of economic forecasting, consistency in budgetary reporting over the financial year and disclosure of expenditure on various aspects of public-private partnerships are set out in the body of the report. They are all aimed at improving transparency and accountability in reporting budget outcomes, not only for the benefit of the Victorian Parliament but also for the wider Victorian community. I note that to that end these initiatives are intended to provide better access for the general public and the community to the decision-making that occurs in this place. It is often a difficult and obscure place to find out about, and the way in which various bodies, including parliamentary committees, go about their work is something that can be complex and easily misunderstood.

To that end the way in which we have been able to provide that transparency and clarity and have been able to move toward implementing that better access to information within the public domain, as well as meeting our election commitments and moving toward a positive reform to PAEC and accountability frameworks, is to be welcomed. I congratulate everyone involved and present the report for the consideration of the house and the community more generally.

**Ms PENNICUIK (Southern Metropolitan) — I am pleased to make some remarks on the Public Accounts and Estimates Committee (PAEC) report on the 2013–14 and 2014–15 financial and performance outcomes. This is in some ways a seminal report because it is the first time that hearings were held into the outcomes. Previously looking at financial and performance outcomes has been largely a desktop exercise, and in instituting the hearings, with department heads appearing without ministers but with some staff, we were able to ask questions and get involved in conversations about important issues facing those departments — in particular with the machinery of government of changes, which were very apposite questions.**

I encourage all members to read the report because it is, as I said, a seminal or inaugural report based on hearings as well as the desktop accounting exercise that usually goes to informing this type of report that is tabled in the Parliament.

I would also like to echo the comments of Ms Shing with regard to the outstanding work that has been done by the staff of the committee. PAEC has had a very large workload for a number of reasons, including the conduct of these hearings which were held over a week. They were additional to the normal workload. There are

current issues that have required a lot of work by the members of PAEC, and the staff have had additional work and pressures put on them. I would like to join in the thanks to the committee staff for all the extra effort they have put in to assist us in our work.

### **Motion agreed to.**

## **PAPERS**

### **Laid on table by Clerk:**

Auditor-General's Report on Managing and Reporting on the Performance and Cost of Capital Projects, May 2016  
(*Ordered to be published*).

Drugs, Poisons and Controlled Substances Act 1981 — Report pursuant to section 96 by Victoria Police for 2015.

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's report on the 2015–16 Budget Estimates.

Statutory Rules under the following Acts of Parliament —

Building Act 1993 — No. 33.

EastLink Project Act 2004 — No. 36.

Electricity Safety Act 1998 — No. 32.

Residential Tenancies Act 1997 — No. 34.

Transport (Compliance and Miscellaneous) Act 1983 — No. 35.

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule No. 32.

## **MINISTERS STATEMENTS**

### **Maternal and child health services**

**Ms MIKAKOS** (Minister for Families and Children) — I rise to update the house on the Andrews Labor government's investment in the maternal and child health service. The recent 2016–17 Victorian budget committed \$133 million over four years and \$36 million in ongoing funding for our vital maternal and child health service so that every new family in Victoria can continue to receive this essential support.

I am proud to say it is the largest investment in the maternal child health service by any Victorian government. Our investment reflects the contemporary costs of delivering a high-quality service to meet the needs of a growing population and our commitment to this world-class service. It secures ongoing funding to deliver universal maternal and child health services to all Victorian children and provide enhanced maternal and child health services for families requiring additional support. This funding will support over

1000 maternal child health nurses who work in the universal maternal child health service to deliver over 660 000 maternal and child health key ages and stages consultations to over 450 000 individual children and their families every year and approximately 90 000 hours of additional care for 12 500 families through the enhanced maternal child health service.

This service represents a critical partnership and co-investment between local and state governments to ensure the best start for Victorian families. In addition to this core funding we are focusing on providing support to the families at greatest risk, with \$32.3 million invested in the development of a new intensive in-home early childhood support service for families experiencing significant challenges in their lives. This will draw on best practice and successful existing programs such as Cradle to Kinder and right@home. There is also \$1.6 million directed towards co-designing and delivering more culturally responsive and high-quality maternal and child health services for Aboriginal families in partnership with Aboriginal communities. This initiative will help to close the gap in maternal and child health participation rates for Aboriginal families.

The Andrews Labor government is making Victoria the education state, starting right from birth.

## **MEMBERS STATEMENTS**

### **Elevated rail proposal**

**Mr DAVIS** (Southern Metropolitan) — Today we hear that the government is going to release the noise impact studies on the sky rail project. This is after the contract has been signed and it is after the so-called community consultation has taken place. This just clearly shows what a sham and what a travesty the so-called community consultation was.

The massive noise studies showing the impact of sound going out for kilometres in each direction from the sky rail is only to be released today, and that is the day when Mr Devlin fronts the music at Mr Morris's committee. Mr Devlin, the head of the Level Crossing Removal Authority, is having his strings pulled by Jacinta Allan and the Premier. We know they want this sky rail and we know they want to force it through the suburbs, but let me ask: why did they not release the sound studies before they signed the contracts? Why did they not let the community have input on the sound studies? There must be something embarrassing in these studies. And why is there no environment effects statement?

There is still no environment effects statements, and yet they are pushing forward with acquiring houses, despite the massive diesel impact and the obvious massive visual impact. Now the noise impact studies are to be released today after the contract has been signed and after the so-called consultation has finished. What a sham. What a travesty. What an outrage.

### **Medicinal cannabis**

**Ms PATTEN** (Northern Metropolitan) — On the weekend I had the great opportunity to attend Mardi Grass in Nimbin in New South Wales. Much to the surprise of others, there were many educational seminars on the use of medicinal cannabis and law reform presented by international speakers and those from Australia. There was a lot of information about the many uses of hemp and also the use of the by-products and the waste products from medicinal cannabis production. Over 15 000 people attended.

I met with a number of Victorians — parents, patients and even producers from Victoria. What struck me was how much things have changed in the last 12 months in the research on the effectiveness of new cannabis strains, on the variety of illnesses that they treat, on new production techniques and even on the methods of application.

There was considerable conversation about Victoria and the perfect climate and geography we have for large-scale cannabis cultivation. This was coming particularly from international companies. What was really fascinating was that despite the glacial movement in all states on law reform, people are just getting on with it. We have large-acreage cannabis farms that are serving thousands of patients, and this is happening despite what we are doing here.

### **Warrnambool and Colac sporting facilities**

**Ms TIERNEY** (Western Victoria) — I congratulate local sporting clubs in Warrnambool and Colac as they have been instrumental in fundraising and applying for grants to help improve their facilities and build their capacity to be even more successful. A \$100 000 grant from the community cricket program was awarded for Warrnambool's Brierly Reserve master plan to improve the reserve's water supply for users. This will result in reduced water costs and improved ground condition, and it will also support the club's many volunteers. I wish to acknowledge all the hard work done by the Warrnambool City Council, Cricket Victoria, Cricket Australia, the Brierly Christ Church Cricket Club and the Friends of Brierly Reserve in getting this project off the ground.

The Friendly Societies Park sportsground in Warrnambool received \$100 000 via the country football and netball grants program. The Friendly Societies Park sportsground lighting project, which will redevelop the sportsground's lighting, will give local players and their families the best facilities, and it will provide clubs with the best opportunity to grow.

In addition, a \$100 000 country football and netball grant was given to users of the Central Reserve in Colac to construct new netball facilities, which will include two changing rooms and supporting amenities. Improved facilities will help clubs in Colac to attract more members and thrive. I congratulate the staff of the Colac Otway shire and Warrnambool City Council for bringing the major stakeholders together and producing a fantastic result.

The Victorian Andrews Labor government recognises that sport in regional areas is very important in helping to keep people together and to keep them fit and healthy. It is a means of binding communities together and making them stronger and more connected.

### **Alannah & Madeline Foundation**

**Ms CROZIER** (Southern Metropolitan) — What a moving experience it was to attend a candlelight vigil for the Alannah & Madeline Foundation last Thursday, at which Walter Mikac spoke so eloquently of the horrendous events at Port Arthur 20 years ago, when he lost his wife and two daughters, Alannah and Madeline. One could never imagine that loss. It was an event that shocked our nation, and like many I remember exactly where I was. Walter's determination to do something positive following the tragedy and the extraordinary dedication he has shown in setting up the foundation is truly inspirational. Having the current and former prime ministers as patrons of the foundation shows a true commitment from government at the highest level. I commend Walter for all he has done and continues to do in keeping children safe.

### **Women in Media Victoria**

**Ms CROZIER** — I was pleased to be able to attend the launch of Women in Media Victoria, which predominantly provides a forum for mentoring and networking for those women working in media or media-related areas. It is a terrific event, and it was well received by all those in attendance. I congratulate those who organised the event, and I thank them for providing me and a number of my colleagues in this chamber with the opportunity to be there. In saying that, I note that my colleagues Sue Pennicuik, Nina Springle, Colleen Hartland and Fiona Patten were

present at the event, but not one female ALP MP was present.

### **Citizen scientists**

**Ms DUNN** (Eastern Metropolitan) — I rise this morning to thank the citizen scientists working across Victoria in our forests. As recently as last week citizen scientists were at the Errinundra Plateau, and on this occasion they identified 11 greater gliders; of course VicForests had not been able to find them. The citizen scientists found them and managed to halt logging in that area, which was a logging coupe. I also pay tribute to those citizen scientists in Toolangi, who not two weeks ago were in the Imperium logging coupe and had no trouble locating Leadbeater's possums in that coupe; VicForests had not been able to find them either.

I salute the citizen scientists who actually put their own time and resources into looking for these threatened species on behalf of Victorians and who fly the flag in a way that we would expect governments to do. The tragic thing about this is that these citizen scientists are at risk of arrest for the actions they undertake, and that is a travesty. Rather than being congratulated for what they do in putting their own time and resources into protecting certain species, they are at risk of arrest. A better idea, I would have thought, would be that VicForests employ them, because they have certainly had a better success rate than that organisation.

### **Budget**

**Mr MELHEM** (Western Metropolitan) — I rise to speak on the 2016–17 Victorian budget, and what a fantastic budget it is. It means better, quicker and more reliable public transport, and that is one of the things that will be delivered. Unlike the federal budget that was handed down last night, with its continuing cuts for Victorians that mean we will still be getting ripped off in relation to infrastructure investment, health and education, the Victorian budget will transform our public transport with better stations, better tracks and more car parks.

For the west in particular that means 27 new V/Line city carriages, 3 new services from Wyndham Vale every weekday, improvements to the Ballarat train line and a second railway track between Deer Park West and Melton. The Andrews Labor government has also committed to fully funding the Melbourne Metro tunnel with or without the support of the Prime Minister, who wants to dictate whether a particular station should or should not be built.

Besides public transport, the budget will also deliver \$1.63 billion in health and ambulance services and programs — Victoria's biggest ever increase in health funding. Western Health will get a boost of \$61 million, and Footscray and Sunshine hospitals will get an injection as well to do some renovation. A \$17 million cash injection will make sure that they will remain in working order. Our training system will continue to have more investment.

It cannot be denied that the 2016–17 budget is one of the best budgets that Victoria and indeed my electorate has ever seen. With this budget the Andrews Labor government has set the bar for future governance with its \$2.9 billion surplus, and I and indeed the rest of Victoria commend the government for its fantastic achievement.

### **Drug rehabilitation services**

**Mr RAMSAY** (Western Victoria) — The Fair Go for Regional Australia campaign has made it clear that health care is a burning issue in the Geelong region, with three-quarters of survey responses listing a strong concern over the impact of illicit drug use. The damage in our community has escalated under the Andrews government, which has ignored Geelong's growing need for rehabilitation services by refusing to make any significant investment in health care in the recently released budget.

It is not enough to expect the federal government to pick up the slack, even though we heard yesterday that \$1.5 million has been directed to Foundation 61 for drug rehabilitation beds for women. That was great work by the federal member for Corangamite, Sarah Henderson. We know Geelong's mental health services have been flooded, and we know that up to 70 per cent of people using these services in the Barwon region have drug or alcohol problems.

The government has placed a large focus on family violence, but tackling the use of ice, other drugs and alcohol, along with other crimes committed by desperate offenders who have turned to substance abuse, will help address these issues. Unlike Prime Minister Malcolm Turnbull's \$300 million federal ice action plan, the state government's ice action team has failed to outline a plan to address prevention, harm minimisation and rehabilitation — three key areas in the joint parliamentary report into methamphetamine use in Victoria and its recommendations.

The commonwealth should not have to bear this financial burden alone. Detox beds at University Hospital Geelong would go a long way to treating

alcohol abuse in the community, but no funding has been made available for immediate detoxification at the emergency department of Geelong hospital.

### Federal budget

**Mr BARBER** (Northern Metropolitan) — I have heard that up in Canberra last night the Greens were playing a drinking game. Every time the federal Treasurer in his budget speech mentioned the words ‘climate change’ or ‘inequality’, you had to throw back a shot of tequila. Not surprisingly they are fairly clear-eyed up there. The federal Liberal government brought in a typically Liberal budget. It managed to cut taxes at the top end while actually increasing the size of government overall, and to hell with the environment.

Well, we could have had the same exercise down here. It was a fairly typical Labor budget: increase taxes, spend it on a range of projects — many of which we agree with, many of which we do not — and to hell with the environment. Not surprisingly we see in the opinion polls that young people aged 18 to 25 are saying, ‘To hell with the old parties’. The Greens vote is now up in the thirties, has overtaken the Liberals amongst that group and is about ready to overtake the Labor Party as well.

Young people in this country have the right to enjoy life and think about the weekend, but they know instinctively that the future is incredibly important to them, because they are the ones who will be living in it. Therefore the growing environmental concern, particularly amongst young people, about the environmental crisis is something MPs in this place must face.

### Hazelwood mine fire

**Ms SHING** (Eastern Victoria) — I rise today to acknowledge all of the efforts that went into the way in which the Andrews Labor government was in a position to deliver record funding for the Latrobe Valley as part of the response to the Hazelwood mine fire inquiry and indeed the devastation that made so many lives so difficult in 2014 when people were abandoned for a number of weeks and then left to manage clean-ups and emergency responses without the necessary assistance at the time. The way in which we have seen a comprehensive response to the mine fire and to the subsequent Teague inquiry has meant that there is a total of over \$80 million that will be allocated towards making sure that we have community-driven health resources as well as the appropriate long-term studies to make sure that health can be monitored, infrastructure changes with a

\$40 million high-tech precinct can be made and communities can work towards active ownership of transition from coal-fired power to other new and emerging industries.

### Walter J. Tuck Reserve, Mirboo North

**Ms SHING** — I would also like to pay tribute today to the communities in and around the Mirboo North area who helped to fundraise and participate to ensure that the Walter J. Tuck Reserve was able to have its new soccer lighting and netball courts opened on the weekend. It was a fantastic game: great to see the Mirboo North Tigers go head to head with Trafalgar and to see the way in which this facility, plus facilities for female sportspeople as well as volunteers and umpires, can mean that there is better participation across the board in this really fantastic community sporting hub.

### Bob Charles

**Mr O'DONOHUE** (Eastern Victoria) — This morning I would like to pay tribute to Mr Bob Charles, who was born on 24 July 1936 in Kentucky, USA, before moving to Australia in 1969. Prior to being elected to Parliament, Bob was an engineer and held several management positions in varying international companies. Elected to the House of Representatives in 1990 for the federal seat of La Trobe, Mr Charles held the seat for 14 years before retiring in 2004. He was a member of the opposition shadow ministry and was also the secretary to shadow cabinet from 1994 to 1996. He was the chair of federal Parliament's Joint Standing Committee on Public Accounts and Audit from 1997 until his retirement. He was a great representative of the south-east. He has been described as being widely respected by both sides of politics, and he will be remembered for his hard work and effective campaigning skills. My sincere condolences to Bob's wife, Rosie, and the rest of his family.

### Protective services officers

**Mr O'DONOHUE** — Reports today that the number of protective services officers (PSOs) at Parliament House is being reduced are extremely concerning for all of us here at the Parliament, and it is yet another example of the pressure Victoria Police is facing as a result of the Andrews government's failure to provide it with the resources it needs. Despite having rivers of gold and despite boasting about how much money it is receiving, the Andrews government is putting extreme pressure on Victoria Police and its resourcing. We all remember that the Deputy Premier referred to the PSOs as ‘plastic police’. He described

the PSOs as plastic police, and he should apologise for that slur on those who protect us here at the Parliament.

### Suicide prevention

**Ms SYMES** (Northern Victoria) — I wish to use my member's statement today to welcome the record investment in suicide prevention announced in the 2016–17 Victorian budget, which will support our local communities to deal with mental health issues. The Andrews Labor government has a 10-year suicide prevention framework which aims to halve the number of suicides over the next decade. New suicide prevention initiatives that have been announced include local community approaches to prevent suicide across six local government areas. These trials will support communities to implement strategies including workforce training, school-based support and mental health literacy programs, as well as the innovative development of an app to support young people who are experiencing suicidal thoughts to create mental health safety plans.

Suicide is devastating at any time, but when it occurs in a country town the effects are profound and the whole community is impacted. Unfortunately most country towns are not immune and are all too familiar with suicide. I grew up in a country town, and the first funeral I ever attended was that of a friend who, tragically, took his own life. A few years later my own family was directly impacted by suicide. It is devastating for me that Benalla has experienced several tragic events this year, and I am passionate about working with the community and the local council as well as with the families to improve support and prevention services.

The Minister for Mental Health, Martin Foley, has kindly agreed to attend a community forum on 1 June to hear the thoughts and concerns of this community. I am just so pleased that the Victorian budget has provided the biggest investment in targeted suicide prevention initiatives ever from a Victorian government, and I hope that it will result in meaningful change and save some lives.

## PRODUCTION OF DOCUMENTS

**Ms HARTLAND** (Western Metropolitan) — I move:

That in accordance with standing order 11.01, there be tabled in the Council by 12 noon on Wednesday, 8 June 2016, a copy of the document prepared by Crown Casino for the Victorian Commission for Gambling and Liquor Regulation in late 2015, which outlines the finding of analysis of player

data, including as an indicator for punters who may have a problem with their gambling.

Problem gambling is a massive problem in Victoria. Conservatively it accounts for some \$2.8 billion in losses from gaming per year. It is critical that we understand why people become problem gamblers and do more to prevent this from occurring. One way to do this is to analyse data obtained by venues via punters' use of loyalty cards. Punters insert loyalty cards into gaming machines when playing. The cards record information including games played, bets and losses and time spent gambling. Roughly \$1.8 billion is lost in total at Crown Casino each year, and that is a significant contributor to an industry that puts people at risk. This is invaluable information that would enable us to better understand gambling behaviour and identify problem gamblers, as well as identifying games, technology or specific features of games that are putting people at higher risk of losing far more than they can afford.

Unfortunately this data is not publicly made available. It is my understanding that the Victorian Commission for Gambling and Liquor Regulation (VCGLR) requested that Crown Casino conduct a trial in 2014 and that this was reported to the regulator in 2015. This report contains information about player gambling habits at the casino based on the player data extracted from loyalty cards, with a specific focus on identifying problem gambling. *Age* journalist Jason Dowling asked for a copy of this report under a freedom of information request to the Victorian Commission for Gambling and Liquor Regulation, which was denied in March this year. The minister also said she would not release it, saying it was a matter for the regulator. The regulator denied it by arguing that the secrecy and confidentiality provisions in the act prevent the regulator from releasing the document on the casino. I would like to actually examine this claim.

Section 10.1.30(1) of the Gambling Regulation Act 2003 provides that:

A person —

meaning a person from the VCGLR —

must not, directly or indirectly, make a record of, or disclose to someone else, any protected information acquired by the person —

- (a) in the performance of functions under a gaming Act or gaming regulations ...

Section 10.1.29(1) states that protected information includes:

- (a) information with respect to the affairs of any person; or
- (b) information with respect to the establishment or development of a casino;

The FOI rejection claims that the documents include protected information and also personal private information. If there is such information about specific persons in the document, the names could be redacted before providing us with the document. Considering the number of FOIs I have received recently that have had huge amounts of information redacted, I do not think it would be all that difficult to redact the names and other identifying information. We certainly have no interest in exposing the gambling habits of individuals. What we want to understand is the broad trends and the greater information about how and why problem gambling is arising. I am presuming there is nothing in the report regarding the establishment and development of the casino, so I cannot see how this could possibly apply.

The next reason provided for denial of the FOI application was that the material was obtained in confidence, which allows it to be exempt under section 35 of the Freedom of Information Act 1982. Again I do not see any good reason why this report should be confidential, if private, personal information is redacted — other than the fact that Crown Casino stamped it with a big fat ‘Confidential’ stamp.

When examining the Victorian Commission for Gambling and Liquor Regulation Act 2011 one sees there are few confidentiality requirements noted, other than those already discussed in relation to personal information and the establishment of the casino. In fact there are a number of sections in the VCGLR act that say quite the contrary. It states that the gambling regulator may conduct inquiries for the purpose of performing its function or duties or exercising its powers under the act, gambling regulations or liquor legislation. Section 28 outlines that any inquiry must be done in a public capacity unless there are special circumstances as to why it should be done in private, none of which seem to be relevant in this case. Section 32(2)(h) also states that the regulator is empowered to investigate any matters relevant to the functions, powers or duties of the commission or the operation of gambling legislation or liquor legislation. There are no provisions requiring confidentiality in relation to the investigations.

Now the question is, why did the regulator request this report from Crown Casino? Unfortunately neither the

commission nor Crown Casino has been forthcoming with this content. But what is clear is that the commission’s functions are not those of a research body. It is not the Victorian Responsible Gambling Foundation, set up to help people affected by problem gambling. One is forced to assume that the request for the trial and information was made specifically in the context of an investigation or inquiry relevant to regulation of gambling at the casino. Indeed it is likely that the commission might have been looking at regulation or approval of a specific type of gambling machine or game played at the casino.

If this is the case, then such an inquiry should, according to the act, be public. At the very least, if there were an investigation, there is no obligation for the confidentiality clause. The only sense that this should be confidential comes from the casino itself, because it has stamped the document ‘Confidential’. The Freedom of Information Act is very specific as to why a document communicated in confidence might be exempt. It suggests that the disclosure of information under the act would be contrary to the public interest by reason that the disclosure would be reasonably likely to impair the ability of an agency to obtain further information in the future.

So who is in charge here? Is it Crown Casino or is it the regulator? The regulator should and does have the power to request any information relevant to regulation, and Crown Casino must comply — end of story, as far as I read it — if the casino wants to continue to be approved for gambling. There is absolutely no obligation relating to confidentiality in the VCGLR act; in fact there is a preference for public disclosure overall. Just because Crown wants information about problem gambling at its casino to be hidden does not mean that it should be. The casino has no right to withhold information from the regulator if the regulator requests it in the course of carrying out its duties. Thus there can be no exemption in this section of the FOI act that applies, as there is no threat that the casino would not comply with such a request for information in the future. It is its obligation to provide such information under the act. So either the casino can do whatever it wants and the regulator is a rubber stamp that plays lapdog to the industry, or the regulator does what it is designed to do.

This document is well within the powers of the regulator to release so long as individual private information is redacted, and the regulator should release it without concern as to whether Crown Casino has a hissy fit over this or not. At this stage, from what has occurred, it looks like the casino is in control of the regulator. If the casino says the document is

confidential, then that seems to override all the regulator's powers in the act.

We believe the minister must intervene in this situation and make an important report public and set the regulator straight on its feeble approach to regulating. Failure to do so would show a complete lack of commitment to tackling problem gambling at the casino. We already know that Crown Casino has an astonishing sweetheart deal with the government. It is time that the government stepped up and showed that it is not in complete sync with the casino. The government should intervene when necessary in the public interest, not just in the interests of the casino. We believe that this is a key test for the Andrews government. I encourage all members of this house to vote for this motion calling on the minister to release this important report into problem gambling rather than hide it.

**Mr MULINO** (Eastern Victoria) — I rise to make a few brief comments on this motion, and I can assure the house at the start that this contribution will be significantly briefer than the one I made the last time I rose to speak on a documents motion.

Can I start by saying that I agree with Ms Hartland that problem gambling is a challenge. It has been a challenge for successive governments in this state. It is a challenge across jurisdictions in our country and it is not a policy challenge that is amenable to simple solutions, but I agree with Ms Hartland that it is something that we should continue to prioritise. I think that there is common ground on that, even if at times we may disagree on particular policy strategies.

Can I also just start my contribution by making some general observations about transparency in government. I will not make these at length, but I think it is worth making these observations at the commencement of any discussion around documents provision. I think it is critical that government is transparent, and I think it is fair to say that over the last few decades governments in this jurisdiction and across jurisdictions around Australia have become increasingly transparent, and that is a good thing. This is something that I have said in previous contributions on documents motions, but I think it is worth making that point again.

We have been discussing FOI requests, for example. FOI requests are something that did not even exist several decades ago. It is important that government is increasingly subject to scrutiny by the Parliament but also by society more broadly, including the fourth estate. In relation to this report, it is important to note

that there is an FOI request that is being processed that has been put in by a media organisation.

As I have said on previous motions, I think it is important though to note that transparency is not the only consideration and it should not occur without limitations. I think that there are some well understood and broadly agreed heads of exemption. I will not go through all of these in detail, but they include cabinet in confidence. There are kinds of documents or information that will not be properly disclosed to the public; for example, where information is provided to a government on the basis that it will not be disclosed; where information is of a private nature; or where information for other reasons should not be disclosed in the public interest.

There is, I believe, a well-understood executive privilege. There are several heads within that that are well understood. I think it is just worth reiterating that we are very, very supportive of transparency and of increasing levels of transparency, and in debates that have occurred in this place over recent weeks I and others have made the point that this government is in fact complying to a greater degree than previous governments have with documents motions. I think that is a good thing.

As to this current situation and the particular report that this motion refers to, my understanding is that Crown Casino has provided the Victorian Commission for Gambling and Liquor Regulation (VCGLR) with a report on the outcome of its trial of the use of player data to identify people who may have a problem with gambling. I agree with Ms Hartland that the results of this report are potentially very useful for developing policy when it comes to dealing with problem gambling. This trial was recommended in the commission's fifth review of Crown. I understand that at its April meeting the commission requested additional information from Crown, which it will consider at a subsequent meeting. My understanding is that the commission is currently considering this report, so this, I believe, raises issues of when it is appropriate for information to be released. I think that for government to function well and in the public interest it is not appropriate for reports to be necessarily subject to full public release, or even to redacted public release, when they are still being considered by an independent body.

My understanding is that the commission is still considering the report that has been provided to it by Crown. I believe the commission is best placed to complete this initial consideration and that the commission will at that point make a decision as to

what information it will release. I think part of what we need to consider when we debate documents motions is the stage at which proceedings are at. I think that this is not the right time for us to pass a motion trying to force the release of this report when the independent commission that requested the information is still considering the report that has been provided to it by a private entity.

I mentioned that an FOI request has been lodged, and that FOI request has been processed according a set of criteria —

**Ms Hartland** — It has been rejected.

**Mr MULINO** — that are set out in the act and that broadly mirror the kinds of considerations that I laid out earlier. Ms Hartland points out that the request has been rejected, but if anything, that reinforces the point that we have got to be careful about the point in time at which we request information be made public. I think that transparency is important here, but we have to be careful, firstly, when there is private information involved and, secondly, when there is a process for consideration of a report. The commission has requested information of a sensitive nature from a private sector entity. It is now considering it. I think that we should at the very least wait for that consideration, which is not going to take an inordinate amount of time.

In terms of requesting information from the government, I think it is crucial to understand that the document the motion is seeking is currently only in the possession of Crown and the commission and is not in the possession of the government. It is important to bear that fact in mind.

The other fact, which I think is probably one that we will not agree on this morning, concerns the operation of the Gambling Regulation Act 2003. My understanding is that under the Gambling Regulation Act the commission cannot be compelled by a motion where it considers information in a document to be in confidence. This is the interpretation of the Gambling Regulation Act that the government has. There can of course with such pieces of legislation be alternative interpretations. That is something which the government must take into account when it responds to motions of this sort, but I think it is important to put on the record that the Gambling Regulation Act does contain restrictions on the release of information. When the government responds to a motion such as this, it has to base its response on its best legal advice at any particular point in time.

I think this is a critically important policy area. I certainly agree with Ms Hartland's observations on that matter. I would simply make the point that what we are dealing with here is potentially very relevant information in terms of developing policy in relation to problem gamblers, but it is also important to note that the information that we are talking about has certain sensitivities.

**Ms Hartland** — For Crown!

**Mr MULINO** — Well, potentially for a private organisation it is always within its rights to claim in confidence. But the sensitivities, as far as I am concerned, that are more important are those where individuals are concerned. And that is where I think the commission needs time to consider the report, and I think we need to give the commission sufficient time to consider the report and develop a response before we pass a motion such as this. I think all of those factors need to be taken into account as does the fact that the minister does not have a copy of the report and nor does the Department of Justice and Regulation at this point in time. Only Crown and the VCGLR have the report at this point in time. I think it is important to bear in mind all those factors when considering this motion.

**Mr O'DONOHUE** (Eastern Victoria) — The opposition, consistent with its approach in relation to these documents motions, will not be opposing the motion by Ms Hartland. It has been an interesting debate in some of the comments made by both speakers, Ms Hartland and Mr Mulino.

I think I can agree with Mr Mulino that problem gambling is a challenge for successive governments. That is why it is a great pity that the funding for the Victorian Responsible Gambling Foundation has been cut by the Andrews Labor government, despite the rivers of gold that we have seen flowing into the state treasury. Despite unprecedented revenue the amount of money available for problem gambling initiatives through the foundation has been cut, and in real terms, when you take into account inflation, the funding provided by the Andrews government for problem gambling and responsible gambling initiatives will be cut by around 10 per cent over the four-year funding cycle. I think that is extremely short-sighted and extremely disappointing. The foundation established by the coalition government, after a period of finding its feet and establishing itself, has really been doing some excellent work, and to have that funding cut I think is extremely short-sighted.

Mr Mulino referred to the fifth review, and of course he is referring to the fifth review of the casino licence that

was undertaken by the regulator, the Victorian Commission for Gambling and Liquor Regulation (VCGLR), which made a number of recommendations, which I released publicly in the interests of transparency. The conclusion of the fifth review of the VCGLR says:

The VCGLR has found that, overall, Crown Melbourne Limited has a high level of compliance with its statutory and contractual obligations. Several opportunities for improvement have been identified, and the VCGLR will work with Crown Melbourne Limited in these areas.

The subject of this debate today flows from a recommendation to further improve the operation and framework for the casino operator here in Victoria.

I note the advice from Mr Mulino that the VCGLR is currently considering the report that is the subject of this request from Ms Hartland. In the debate he asked: when is the appropriate time for the report to be released? Clearly there is a high degree of public interest around the operation of the casino. It is a major employer in Victoria, but of course it is important that the community has confidence in the operation of the casino and that issues such as problem gambling and responsible gambling are being appropriately identified and appropriately addressed, both through the regulatory framework and by the operator itself.

With those words let me just reiterate the opposition's disappointment at the cut to responsible gambling initiatives by the Andrews government and the cut to the Victorian Responsible Gambling Foundation at a time of record revenue growth. It shows very skewed priorities to cut funding for responsible gambling initiatives while revenue grows enormously. The opposition will not oppose Ms Hartland's motion.

**Motion agreed to.**

## COUNTRY FIRE AUTHORITY ENTERPRISE BARGAINING AGREEMENT

**Mr O'DONOHUE** (Eastern Victoria) — I move:

That this house —

- (1) acknowledges the selfless and courageous work of the brave men and women of the Victorian CFA, one of the most remarkable volunteer organisations in the world; and
- (2) calls on the government to reject any United Firefighters Union (UFU) EBA claim that —
  - (a) allows the UFU to direct or impede CFA activities;
  - (b) undermines the autonomy of CFA volunteer firefighters;

- (c) impacts upon the rights of CFA volunteer firefighters, including through the volunteers charter; and
- (d) leads to a reduction in surge capacity of the CFA to respond to major events.

As members of Parliament we are privileged to interact with our communities in a broad and deep way. One of the key aspects of that engagement is working with the many volunteer organisations that work for the betterment of our community.

The work of volunteers is not something that should ever be taken for granted, and it is not something that exists in all similar communities throughout Australia or indeed the world. It comes from a sense of shared responsibility, it comes from a shared belief in improving our community and it comes from a passion to drive improvements and to help others in our community.

Some of the organisations that I interact with, which I am sure all of us interact with, include surf lifesaving volunteers, organisations like Lions and Rotary and the volunteers who help at our major hospitals. I have had cause in recent times to talk to and deal with some of the volunteers who work at the Frankston Hospital. People also volunteer with Meals on Wheels, St Vincent de Paul or the Salvos — the remarkable people who under Brendan Nottle's leadership work on the street teams in the Melbourne CBD on Friday and Saturday nights. They are remarkable people. We are all the better as a community for having such wonderful community volunteers who do so much.

Moving to the impact on the government, no government could seek to replicate the enormous time and energy that the volunteers contribute to so many parts of our society. The cost to replicate those services would simply be beyond the ability of any government. But more than cost, it is about the way that our volunteer organisations' contribution to the fabric of our communities makes our communities what they are. Having listened to many contributions in this place, I have often heard members talk about the overlapping nature of volunteering, as volunteers are involved in multiple organisations in multiple ways, giving so much of their time.

In a general sense, let me say that the volunteers in our community need to be supported and encouraged, and their contribution to making our society what it is needs to be understood. We should be deeply grateful to these people for what they do. The first amongst equals — let me put it that way — when it comes to their contribution to our community are the wonderful

Country Fire Authority (CFA) volunteers. They are people who risk their lives and who donate countless hours of their time, not just to turn out to respond to fires and other incidents but also to fundraise, to train and to maintain vehicles and assets. It is an enormous contribution made by so many — the approximately 60 000 Victorians who make up the volunteer component of our firefighting services in Victoria.

Like many other members I have been struck, when fires have hit parts of my electorate, by the preparedness of the volunteers — in all aspects of emergency services, but today we are talking about the CFA volunteers — to respond to major fire events and to put themselves at the forefront of the response to protect life and property. For me, perhaps the best example was that of the bushfires of Black Saturday that impacted on large parts of Eastern Victoria Region — through central Gippsland, West Gippsland — through all parts of the electorate, actually. It was an extremely concerning and difficult time. People who may have lost property themselves were still on the fire trucks defending the property of others — truly remarkable.

It is in that context, with a degree of disappointment, that this motion needed to be moved today. It needed to be moved because it would appear that the volunteer firefighters and their independence and ability to do their job are under attack. They are clearly under attack from a Premier who seeks to do a deal with the United Firefighters Union and sign up to the log of claims that the UFU has put on the table to make this issue go away, at the expense of the volunteers. This is most regrettable, in the context that the Country Fire Authority Amendment (Volunteer Charter) Bill 2011 went through this place — it was an initiative of the coalition government, but it went through this place — with the support of the now government.

Let me just cite some of the aspects of the volunteer charter. It calls on the community and the government to:

Recognise, value, respect and promote CFA volunteers who come from widely divergent communities with differing needs and characteristics, as core partners with people employed by CFA ...

It calls on them to:

Recognise and acknowledge the value of the time that volunteers provide to CFA and ensure that volunteer time is used to maximum advantage ...

It says:

Volunteers in CFA ...

Selflessly bring time and life skills to protect life and property, prevent and suppress fires and thus create a safer community. They actively promote fire prevention works and provide fire, emergency and community services across Victoria. Many volunteers provide their own equipment to do so;

Are drawn from communities throughout Victoria in order to participate in an integrated fire service through a practical partnership based on mutual respect for CFA, people employed by CFA, and personnel of other organisations, to ensure that community safety needs are met to the best of their collective abilities;

Depend on the goodwill and practical support of their families, friends and employers to enable them to serve. The time available to them is limited by the needs and demands of their employment, families and other obligations ...

It goes on. Finally, the last section I will quote from the volunteer charter is:

The government of Victoria recognises and acknowledges the volunteers' commitment. The state of Victoria will provide support to the volunteers —

and it goes on to outline that further.

This is an issue that should have bipartisan, cross-party support, and I was very proud to be part of the government that enshrined the charter into legislation, but as I have said, it appears that the volunteers are under attack.

The enterprise bargaining agreement (EBA) that has been the subject of an ongoing dispute between government and the UFU for a significant period of time now calls for a range of changes that would severely compromise the independence of the CFA and diminish its role in responding to fire and acting as an organisation. The UFU is calling for a veto over clothing and equipment, for no new appliances to be used without UFU approval, for volunteer support staff to be replaced and covered by career firefighters over time, for the UFU to provide approvals to changes to role descriptions, and for community education to be performed by career firefighters where possible. Again, representing a rural interface electorate, I know that the CFA volunteers do a remarkable job of educating the community through open days at stations, through visiting schools, through attendance at field days and through a range of other activities.

The UFU is calling for paid staff to only report to paid staff when responding to incidents. There is also the absurdity of it calling for seven paid firefighters to be

on a fireground before firefighting can start. The EBA includes the condition that paid firefighters cannot be in mixed crews without the consent of the UFU — that is, there cannot be crews of volunteers and paid firefighters unless the union agrees to it. Another condition is that career firefighters are to be used as drivers for commander rank officers. There is a range of other conditions that if agreed to — as it appears the Premier wants — would give the UFU veto over many of the operations of the volunteers and would intrude on the operations of the volunteers in an unprecedented way.

I am sure that when they have their opportunity members of the government will say, ‘Oh, this is just scaremongering from the opposition; that’s not what the proposed deal says’ and ‘That would never be agreed to’. I ask: why, then, a couple of weekends ago, with barely 24 hours notice and 24 hours coordination, did hundreds of CFA volunteers rally on the steps of Parliament House and provide an enormous line of appliances from all over Victoria, from hours and hours away from Melbourne? It was because of their extreme concern about reports that the Premier had sidelined the Minister for Emergency Services and entered into direct negotiations with the UFU.

Separate from the issue of the claims of the UFU are the deep, deep cracks within the government that have been exposed as a result of this revelation. It is remarkable that the Premier would sideline Minister Garrett and enter into direct negotiations with the union leadership about the UFU log of claims that is on the table. If the reports are true, it appears that the Premier wants to sign up to this deal put by the UFU. The question is whether this is because of arrangements or understandings that have been in place for some time, and only the Premier and those associated with those discussions can answer that question.

This exposes deep, deep cracks within the government and a clear difference between on the one hand the minister and it would appear the CFA leadership and board and on the other hand the Premier. This is a deeply concerning development, not just because of the potential impact on the CFA but because of the dysfunction that it exposes at the heart of the government and of the cabinet. That is something which should be concerning for all Victorians, because ultimately a dysfunctional and divided cabinet and a divided government where minister is pitted against Premier bodes very badly for government in Victoria.

As I was saying, members of the government will no doubt say, ‘This is scaremongering from the opposition’. I invite members to just reflect on those

hundreds of volunteers who again gave up their time — over and above all the time they already give up for the benefit of the community in volunteering for the CFA — to come and rally at Parliament House and send a very clear message to the Premier. I have been amazed at the contact I have had from CFA volunteers in my community. They have contacted me to express outrage at the concept that this deal may be agreed.

I think the government needs to understand very clearly that many brigades will suffer a significant loss of membership if this deal is done, as it appears the Premier wants, and I have been amazed by how many CFA volunteers have contacted me directly to tell me that, without any approach from me. Listening to other people and other reports, it is clear that a significant number of the current volunteers — who are doing just that; they are volunteering for the betterment of the community — will walk away from the CFA if this deal is done.

The opposition is calling on the government to reject any aspect of the UFU claim that allows the UFU to impede or direct the activities of the CFA; that undermines the autonomy of the CFA volunteer firefighters; that impacts on the rights of CFA volunteer firefighters or on the volunteer charter; or that leads to a reduction in the capacity of the CFA to respond to major events. In large parts of Victoria, including in my electorate, it is the CFA that responds and is first on the scene, because of the voluntary nature of most of the firefighting services in Eastern Victoria Region and in other parts of Victoria, particularly beyond the middle-ring urban areas.

This is a very serious and very concerning issue which the government needs to deal with. The government needs to send a very strong message that it sides with the rights and interests of the volunteers and that it will uphold the CFA volunteers charter that was signed by the then Premier, Ted Baillieu, the then Minister for Police and Emergency Services, Peter Ryan, the then president of Volunteer Fire Brigades Victoria, Hans van Hamond, and the then chair of the CFA, Kerry Murphy. It is a pity that the rights of volunteers, as encapsulated in the Country Fire Authority Amendment (Volunteer Charter) Act 2011, and the bipartisan support for these notions have been attacked, it would appear, by the Premier. The government needs to very clearly demonstrate that it will not sign up to any agreement that puts at risk those issues that are articulated in my motion.

Let me conclude by again acknowledging and thanking the thousands of volunteers throughout my electorate of Eastern Victoria Region and throughout Victoria who

do so much for our community. It is something that we should never take for granted, because many societies do not have that culture of volunteerism. Volunteerism is one of the things that brings our communities together, turning a group of people living in a similar area into a community, and we should do everything we can to nurture, grow and respect that and not attack it. The log of claims that the Premier seems to want to sign up to, against the wishes of the Minister for Emergency Services and the CFA leadership, poses a serious risk to the CFA, its culture of volunteerism and the amazing work that the CFA volunteers do.

I look forward to the government supporting this motion to send a very clear signal to the Premier that the rights and interests of the remarkable people that make up the CFA in Victoria will be respected.

**Mr LEANE** (Eastern Metropolitan) — I start by agreeing wholeheartedly with the sentiment that Mr O'Donohue began and finished with regarding his respect and admiration for volunteers, including Country Fire Authority (CFA) volunteers and all volunteers of that ilk. I actually had a conversation with one of my Liberal Party colleagues this morning where we were saying that part of the privilege of being an MP is meeting good people that volunteer for good things. Rather than name that MP, because sometimes if it is a member of the opposite party it does not necessarily do them any favours, I will say we had a good conversation around that. I agree wholeheartedly with the first point of Mr O'Donohue's motion — that is, that we should acknowledge and appreciate the work that volunteer CFA firefighters do. They do a great job and they are a very important part of their communities.

I also want to add that I respect all firefighters. I respect the work that all firefighters do, whether they be volunteer firefighters — who, as I said, do a great job — whether they be career firefighters at the Metropolitan Fire Brigade (MFB), whether they be career firefighters at the CFA or whether they be career firefighters at Parks Victoria, who sometimes get forgotten. What they do is they put themselves at risk for our safety and sometimes for our residences. I think that the whole chamber would agree that every firefighter, whether they be volunteer or career, of any agency or any authority should be held in the upmost respect.

In saying that we should not demonise any one group. I have some concerns that there are political imperatives for certain people who are trying to demonise career firefighters just because those firefighters are members of a collective, just because they have decided to form a collective that will forward their interests in

occupational health and safety and in their wages claims.

**Mr Ramsay** — Which collective are we talking about?

**Mr LEANE** — I know members opposite have a problem with collectives.

**Mr Ramsay** — You're talking about a union, but you can't say the word!

**Mr LEANE** — I will get there, Mr Ramsay. Mr Ramsay will notice that no-one interjected during Mr O'Donohue's contribution. Mr Ramsay needs to hear what I am going to put on the public record, and he needs to get it back to his community. In my contribution I am going to alleviate all his concerns.

I know the Liberals have problems with collectives, and I appreciate that part of the ethos of the Liberals is 'Don't impede the individual; the individual should thrive'. I know they believe in that so much that as a group of individuals they have formed a collective that is anti the collective and pro the individual. I understand all that, and I appreciate that you have got to have pillars of your party.

One of the pillars of our party is we do believe in collectives, and we do not shy away from that. What people need to understand about the firefighting sector is that it has a high level of union participation, probably as high as any union in the state. What people need to not do is insult the intelligence of individual firefighters. They should not insult their intelligence by saying they are only doing something because they have been told to do it or they are only part of a union because of certain reasons other than that they freely choose to be because they see the benefits in being part of a union. I ask that members not do that.

As far as the claims that Mr O'Donohue made, that other people have made and that some media outlets have made in relation to splits in the cabinet, secret deals — all sorts of claims — I say it is a lot of hysteria. When Mr O'Donohue wraps up, perhaps he or another of the opposition speakers could tell us what the opposition is basing its claims on. They could tell us what they are basing those claims on and tell us what they are basing their accusations on. If it is nothing other than gossip, they are doing a huge disservice to the people they are pretending to champion and represent. They are making these accusations based on gossip, on lines in newspapers — —

**Mr Ramsay** interjected.

**Mr LEANE** — Mr Ramsay will notice that I did not interject — —

**Mr Ramsay** interjected.

**Mr LEANE** — Mr Ramsay needs to pay attention, because I am going to alleviate all of his concerns.

According to the gossip, there is a split in the cabinet. However, neither the Premier nor the minister has come out and said they are at odds with getting an EBA done. Neither the Premier nor the minister has done that. Members opposite are basing that on gossip. This Premier believes in getting things done.

**Mr O'Donohue** interjected.

**Mr LEANE** — You will notice, Mr O'Donohue, I did not interject when you were speaking. I will take my time on this if Mr O'Donohue would like me to. He will notice that I did not interject, and I paid him that respect, despite his making accusations based on gossip.

The Premier wants to get things done. He believes in getting things done. This is an agreement that has been expired for over three years. The negotiations have been going on for three years. They went on for a couple of years on the coalition's watch, which is no surprise considering the way it treated the paramedics.

**Mr O'Donohue** interjected.

**Mr LEANE** — Mr O'Donohue is right. It is not a couple of years, actually. We have not been in government that long, but we have been in government for a period of time. The Premier has said, 'Look, all the stakeholders, including the union, need to get together and make a concerted effort to see if they can work through this'. This has gone on for too long for the career firefighters. All of us, I assume, respect what those firefighters do. Maybe members opposite do not. There are the career firefighters and the volunteer firefighters, who all of us respect, but the career firefighters, who make a living out of doing that work, are putting in a claim for a pay rise, and members opposite are responding in a way that makes it seem like the world is ending.

**Mr Ramsay** interjected.

**Mr LEANE** — I ask Mr Ramsay if he is saying that they should never get a pay rise?

**Mr Ramsay** — No.

**Mr LEANE** — I am glad he has conceded that. He is happy with that.

**Mr Ramsay** — I said that's not in dispute.

**Mr LEANE** — Okay, I will get to what is in dispute. I am glad that he concedes that he is happy.

**Mr Ramsay** interjected.

**Mr LEANE** — Of course. I am glad that he concedes that he is happy. Fantastic! We are part of the way. That is fantastic. Thank you.

**Mr Ramsay** — It has always been the case.

**Mr LEANE** — It has always been the case — fantastic. That is great.

The Premier has said that people need to get their act together, and it has been too long. Because he has said that, those opposite say this is a secret deal. Let me read what the acting chair of the CFA has said about the Premier telling people to get their act together. This is a person who is the acting chair of the CFA, the organisation that members opposite say they are championing. John Peberdy, the acting chair of the CFA, on ABC radio Ballarat, said, and I quote:

... the Premier is quite right on this: this has been going on for a long time. It's time there was an agreement. And we need to get our heads together with the UFU, and with the other people that are involved in negotiation and get an agreement done, and that's where our main focus is at this point of time.

He went on further to say:

In fact the Premier's involvement I think is quite helpful because, I mean, he's basically saying what we've just discussed, that this has been going on for a long time, it's time it was resolved. He's, I think, helped this situation considerably by actually making that point, that this is something that does need to be resolved.

So the acting chair of the CFA says, 'Thank you, Premier'.

**Mr O'Donohue** — Do you think you could have the minister involved with that?

**Mr LEANE** — Well, the minister has said the same thing on the public record as well. The minister has said the same thing in Parliament. So the Parliament — —

**An honourable member** interjected.

**Mr LEANE** — I am sorry I am unravelling your gossip, but I will continue to do that. I have got to say that in preparing for today's contribution I thought about it. I like to be an up-front person and I like to understand where people are coming from, especially when they have grave concerns. Andrew Ford — I

think he is the secretary of Volunteer Fire Brigades Victoria — —

**Mr Ramsay** — CEO.

**Mr LEANE** — CEO; I will take that. Thank you, Mr Ramsay. The CEO of the volunteers association sent out a media release to every politician about two Fridays ago — it might have been three Fridays — with a number of claims based on gossip about the Premier and the minister that the United Firefighters Union (UFU) will take control of CFA management. Then he went on a bit of a rant about rate capping, went on a bit of a rant about the fire services levy and went on a bit of a rant about a few other things. He was more concerned about asking, ‘Where is the money coming from if we give these people a pay rise?’. But I am glad Mr Ramsay, unlike Mr Ford, has conceded that he does not have a problem with career firefighters getting a pay rise.

The last line of this media release read, ‘Any queries, ring this number’. So that day, straight after I opened it, I rang that number and asked to speak to Andrew Ford. Now, I was told that was not the number for inquiries but that Andrew would ring me back. It was a Friday evening. I went home — it was about 6.30 p.m. I was waiting at the chicken shop for a chicken. To his credit Andrew Ford rang me, and I missed the call. It went to my answering service, and straightaway I rang that number back. It rang out twice and on the third time went straight to his answering service. I left a message with my number, saying, ‘Andrew, could you please ring me? I really want to understand where you are coming from in this media release and what you are basing these accusations on’.

I will get back to the response from Mr Ford soon. But getting back on that vein of his claims, a number of accusations have been made about what the UFU is claiming about the control of the CFA — all those sorts of things about ‘this terrible union’.

Once again, the union is made up firefighters. They tell the executive what to do. The union is not made up of mindless morons driven by a couple of evil people, so do not start disrespecting the union. This is a union in which members work alongside firefighting volunteers every day and have the utmost respect for them. On the ground I have got to say they work together fantastically. They respect each other, they appreciate each other’s efforts and in some communities they are probably best mates. Some of the career firefighters and volunteers could be best mates. They are men and women who do a fantastic job collectively, whether they are career firefighters or not.

**Mr Ramsay** interjected.

**Mr LEANE** — One does not get paid? Have you got a problem with them getting paid? Have you got a problem with having paid — —

**Mr Ramsay** interjected.

**Mr LEANE** — Have you got a problem with career firefighters getting paid? Before you told me that you have not got a problem with them getting a pay rise. Okay, so you have not got a problem with career firefighters.

**Mr Ramsay** interjected.

**Mr LEANE** — No. Mr Ramsay, when you make your contribution, if you want to get up and say that I am wrong in saying that career firefighters and volunteer firefighters work well together every day and appreciate each other’s efforts, then you do that.

Anyway, let us go to the hysteria around what we have been reading as far as what gossip columnists have been writing and what certain people running political agendas have been running — let us get to that. Because Mr Ramsay — —

**Mr Ramsay** — Peter Marshall. That’s who it is.

*Honourable members interjecting.*

**Mr LEANE** — Okay. Just to help you, what I did this morning before we came into the chamber was ring Peter Marshall.

**Mr Finn** interjected.

**Mr LEANE** — I did. This will be very helpful to you to go out to alleviate the concerns of the community. I asked him a number of questions, and one of the questions I asked him was, ‘Have you a current claim on behalf of your members that the UFU want to or will take over control of the management and the operations of the CFA?’; he answered, ‘No’. ‘Have you ever on behalf of your members had that claim?’; ‘No’. ‘Have you got a claim of a right of veto over CFA volunteer uniforms, equipment et cetera?’; ‘No’. ‘Have you ever had that claim on behalf of your members?’; ‘No’. The union has not had that claim. ‘Do you on behalf of your members have any claims that would have any adverse effects on the fantastic work that CFA volunteers do?’; ‘No’.

*Honourable members interjecting.*

**Mr LEANE** — You have gossip. Peter Marshall is prepared for this to go into *Hansard* today. If you do

not want to listen and instead you want to keep up your scare campaign and do the wrong thing by the volunteers, you keep that up. But I think you might want to keep listening.

I asked Mr Marshall, 'Have you on behalf of your members had a claim that seven career firefighters be present at an event before CFA volunteers start action to remedy the event?'; 'No'. 'Have you ever had that claim?'; 'No'. 'Have you on behalf of your members had a claim that thousands of career firefighters should replace volunteers?'; 'No'. Actually, I will get back to that because that is —

**Mr Ramsay** — That's not what he said on ABC radio on the fire services review. He said he wants to push career firefighters into volunteer-based fire stations.

**Mr LEANE** — No, no, no, no. I have got to say that there was an election commitment made by this government that there would be 350 more CFA career firefighters because of the urbanisation of the fringe — which you would understand, Mr Ramsay — because it is very hard to expect volunteers to cover that growth. It is unfair. So, alongside the volunteers, the Andrews government made a commitment — which we will keep — that there will be 350 more firefighters. It is not a claim from the UFU; it is an election commitment that just makes sense. So let us keep going.

As far as the surge capacity goes, Mr O'Donohue's motion refers to rejecting any claim that 'leads to a reduction in surge capacity of the CFA to respond to major events'. Is there any claim around that? Has there been any claim around that? No.

**Mr Ramsay** interjected.

**Mr LEANE** — So you need to go back and tell your communities that this is the UFU's official position. I know it is killing you, Mr Ramsay; I know you want to keep up your scare campaign. I know this must be hurting. It must be hurting to get some truth; it must be killing you. But the fact is, this is what they are saying as of this morning.

**Mr Ramsay** interjected.

**Mr LEANE** — I know you do not want to hear it. You do not want to hear simple answers. Mr Ramsay, once again, when Mr O'Donohue made his contribution I did not interject on him. No-one on this side interjected. This is a serious issue and this needs to be put on the public record today, so maybe you want to control yourself. You will get your go. But if you want

to talk about anything that I have said, good luck. Good luck to you!

Moving on, having extra firefighters as far as the growth areas are concerned is actually backed up by the acting chair as well. The acting chair of the CFA embraces that, so I am not too sure where that particular thing is coming from. I have got to say that I want to go back to the acting chair because on the front page of one of our newspapers we had a rant that there was an urgent emergency meeting of the CFA board to talk about rejecting the secret deal — which does not exist — that the Premier is supposed to be part of. The front-page story was about an urgent plan to reject the secret deal. On the day the Premier was burying his father, this is what was quoted about this secret deal. Everyone is all 'The world's going to end', and the acting chair is interviewed. The interviewer says:

... an emergency board meeting has been called with people flying over the country in panic to meet.

JOHN PEBERDY: Not at all, it was a meeting that was planned earlier this week ... but it was a meeting that we planned earlier this week, and it was simply to update us on what progress has been made at this point in time.

To go further:

Now there was a lot of press reporting of course about this message today. Were they overstating the proceedings?

JOHN PEBERDY: Absolutely, totally overstating it.

This is from the acting chair that attended that urgent meeting — that urgent meeting that was made up to splash over the front page to demonise career firefighters and to demonise the Premier on the day that he was burying his father. I think the hole is being dug, and dug deeper, by people that —

**Mr O'Donohue** — It sure is — the hole is getting deeper, Mr Leane.

**Mr LEANE** — Oh, you are a joke. You are a joke. If you can't accept the answers from the UFU, then you are a joke.

**Mr Finn** — Oh, yeah, we'll believe the UFU every day, every day of the week!

**Mr LEANE** — Mr Finn, it's terrible! I know I am debunking your scare campaign, but these are the facts. These are the facts: those claims have not even been there. There are no secret deals that ever existed. The Premier actually just said, 'Get on with things. Try to work it out', because he appreciates the firefighters. He appreciates whether they are career firefighters —

**Mr Finn** — Marshall?

**Mr LEANE** — The Premier.

**Mr Finn** — The Premier! He's in Marshall's pocket. What are you talking about?

**Mr LEANE** — You're making stuff up again, and that's all you can do.

**Mr Finn** — No, I'm not.

**Mr LEANE** — No, you are. You are just making stuff up again because you have not got any facts. You are relying on gossip, and I am actually debunking that gossip, and it is killing you. It is absolutely killing you.

**Mr Finn** — Do we look dead?

**Mr LEANE** — No, I think that you're all rocking. You're all rocking.

Let us go to the consultative clause that is being pushed that will give control and right of veto to the UFU. I have to say a couple of things. You cannot get an enterprise bargaining agreement (EBA) ratified unless there is a consultative clause in it. If Fair Work Australia looks at that EBA and it has not got a consultative clause in it, it will say, 'Go away and do one'. It is part of the act. And another thing: there has been a consultative clause in every agreement the UFU has had with the MFB and the CFA. There was a consultative clause when members opposite were in government.

When they were in government there was a consultative clause, and yet they make out that it is a terrible thing to have to consult with the stakeholders in groups that are actually getting together and talking about how they can improve the way they do things — and not just the workforce but the management. Everyone is happy to do that. So to try to demonise that and say, 'It's the end of the world. There's a consultative clause that's going to give the right to veto and all that', is just rubbish. It is a lie.

Now let us get back to Andrew Ford, because I have met him a couple of times and he seemed like a good bloke and all that. But anyway, I rang him on the Friday and he rang me back, which is good. I rang his office in response to inquiries; he rang me back. I tried to ring him back three times, and I left a message. I did not get a call back — fair enough. It was Friday evening, and that is fair enough. So because I did not get a call, on Saturday, 23 April, which was the next day, I sent Andrew a text, and it says:

Hi Andrew, it's Sean Leane, MP. Sorry I missed your call yesterday. I was hoping to ask you what you based a number of your statements on in your media release yesterday. I

particularly want to know what you based the theme of it that the Premier and the minister are apart on an issue when neither of them have stated this publicly or to that matter to the caucus, which I am a part of. I find it totally unfair on both of them. Everyone supports and appreciates volunteers and professional firefighters and what they do for the community. It's a shame that from time to time you get conflict at high levels, as in the association and the union. That will probably always be the case, but as you know better than me the main thing is that the professionals and the volunteers work well together on the ground every day. I really appreciate your response to my inquiry. Happy to speak to you on the phone if you get time. Cheers.

Right. Now, that was Saturday, 23 April. I will tell you the response I have got. Nothing! I have had nothing. So if opposition members are going to go and make certain claims, then back them up — and Mr Ford chose not to. That is because he cannot, because he is basing all these statements on gossip. He is basing all this hysteria on gossip, along with the opposition members, along with other people who want to portray that they are the champions of the CFA volunteers and they are the protectors of the CFA volunteers.

I have got to say to opposition members: you are not championing the CFA volunteers; you are not protecting the CFA volunteers; you are lying to the CFA volunteers about what is being claimed about consultative clauses that have already existed in agreements; you are lying, and there are a number of people who are lying because of your political interests, so do not pretend to us that you are the champions of the CFA volunteers. If those opposite were the champions of the CFA volunteers, when they were in government they would not have cut 164 jobs at the CFA. If they were the champions of the CFA and the CFA volunteers, they would not have slashed their funding by \$66 million — \$66 million! I know they cannot handle the truth and the facts, but the facts are the facts and the truth is the truth. And I know it is killing them — —

**Mr Ramsay** interjected.

**Mr LEANE** — I am going to go over those answers again. I am going to go over those answers again in a minute. I have got to say my message to the CFA is: this government will always respect you. My message to the CFA volunteers is: this government will always appreciate and respect what you do for our state; this government will not agree to anything that has an adverse effect on your operations.

*Honourable members interjecting.*

**Mr LEANE** — The best thing is that they just laugh. I am going to go through those answers again because I am going to put it on the record twice. You

know, those opposite say, 'It's a sellout; it's a sellout', but let us talk about it. There is nothing to sell out. There are no claims. There are no claims, yet they are saying there are. They are lying. They are basing that on gossip, so I am going to go through it again. I am going to go through it again; okay? I think we should do it twice, because I think it is very important.

This morning I rang Peter Marshall and asked him firsthand a number of questions.

**Mr Ramsay** interjected.

**Mr LEANE** — I know it is killing you. I rang Peter Marshall and so — —

**Mr Morris** — On a point of order, Acting President, I refer to standing order 12.16 headed 'Irrelevance or tedious repetition'. Mr Leane himself has said that he is going to be repeating something that he has previously said, and I ask you to consider whether or not he is indeed being tedious in his repetition.

**Ms Shing** — On the point of order, Acting President, if that standard were to be applied that somebody stating a piece of information for the second time would fall foul of the standing orders on the basis that it constituted tedious repetition, we would in fact not have had the airplay from opposition members that we have had in terms of hours and hours of their own contribution. Stating something for the second time and for the record — —

**The ACTING PRESIDENT (Ms Dunn)** — Order! Ms Shing is straying into debate at this point. Mr Morris has no point of order. In fact there has not been a repetition as yet, so it is pretty hard to uphold that at this point in time. Mr Leane, to continue.

**Mr LEANE** — I fully appreciate that if I was in the opposition's shoes now I would really want to shut me down. I appreciate that — —

**Mr Morris** interjected.

**Mr LEANE** — Because you cannot handle the truth. You cannot handle the truth.

Now, let us go over it again. Let us go over it again for new participants. This is from the person who represents the career firefighters who make up the UFU. The first question to the person who represents the career firefighters who make up the UFU: 'Peter Marshall, have you got a current claim on behalf of your members that the UFU wants to take control of the management and the operations of the CFA?'; 'No'.

That was the answer — 'No'. 'Has the UFU on behalf of its members ever made that claim?'

*Honourable members interjecting.*

**Mr LEANE** — I know, it is killing you, but it is the truth. It is killing you. It never existed. It is the truth; it is killing you.

*Honourable members interjecting.*

**Mr LEANE** — So after I have spoken to the representative, you are going to get up and disrespect the career firefighters? If you get up and say something different — —

*Honourable members interjecting.*

**Mr LEANE** — I invite you to get up and insult the career firefighters by saying they have actually had this claim. The career firefighters do not want to take control of the CFA. They work together well with the volunteers. Those opposite are being ridiculous. Their tears are so sweet — I am loving it. These are the facts, and those opposite cannot handle the facts. If they want to get up, because they understand the UFU is — —

**Mr Finn** — We know what the UFU is.

**Mr LEANE** — You don't. You never will. The UFU is a collective of career firefighters. They are not mindless drones that let individuals go off on a folly. They are not mindless drones. So let us go back. And I challenge those opposite to do that — to say that the career firefighters are just making stuff up.

These are their answers: 'Does a consultative committee clause give the UFU the right to have veto on CFA volunteers' activities?'; 'No'. 'Does it give the right for the UFU to have veto over CFA volunteers' uniforms, equipment et cetera?'; 'No'. 'Has there ever been that claim?'; 'No'. 'On behalf of the members that you represent, have you got a claim that seven career firefighters have to be present at an event before the CFA volunteers can start action in remedying that event?'; 'No'.

If those opposite want to do some research, I note that that has actually been publicly stated a number of times in a number of media outlets. So 'No' is the answer. So get up and say that is not true. I dare those opposite. Get up and say that all the career firefighters are lying. Get up and say that.

**Mr Finn** — No, just the union boss.

**Mr LEANE** — Mr Finn, you are probably dumb enough to do that, all right, but not anyone else. I asked,

‘Have you ever made the claim that seven career firefighters have to be present at an event before CFA volunteers can start action in remedying that event?’; ‘No. We’ve never made that claim. We haven’t got that claim. We never made it’.

**Mr Ramsay** interjected.

**Mr LEANE** — I know it is killing you, Simon. It must be killing you — the truth; it must be terrible for you. It must be terrible, because you want to keep going out with your scaremongering.

If those opposite were the champions of the CFA, they would not have cut all those jobs when they were in government. If they were the champions of the CFA, they would not have cut the funding by \$66 million.

*Honourable members interjecting.*

**Mr LEANE** — I know it’s killing you. It is terrible, I know. It must be hard for those opposite.

I asked, ‘Have you on behalf of your members had a claim that thousands of volunteers should replace career firefighters?’; ‘No’. ‘As far as the surge capacity, have you got a claim that will affect the CFA’s ability’ — as Mr O’Donohue said — ‘to respond to major events?’; ‘No’.

They have not got those claims. They did not have those claims. Those opposite are basing their whole hysteria on gossip. The trouble in the end is that the truth comes out. If you want to demonise all the career firefighters at an expense of trying to generate a fight between the volunteers and the career firefighters, well, that is not going to stick anyway, because as those opposite know, they work fantastically together on the ground.

I think that now that it has been read into the public record, those opposite can just go out and say, ‘Oh, no, that is not their position, because we say so. That is not the career firefighters’ position and the union’s position, because we say it is not.’ Well, who are those opposite? Who is Andrew Ford? Who is the gossip columnist at the *Herald Sun*? This is coming direct from the career firefighters.

**Mr Ramsay** interjected.

**Mr LEANE** — Oh, no, Mr Ramsay, I know: they are all mindless drones, and Peter Marshall — —

**Mr Ramsay** — Well, they are. They take their instructions. They take their instructions from Peter Marshall.

**Mr LEANE** — I need to get this on *Hansard*.

**An honourable member** interjected.

**Mr LEANE** — No, you did it. Mr Ramsay just said, ‘Yes, they are. They are all mindless drones’ — that Peter Marshall pulls their strings.

**Mr Ramsay** — No. I said they are taking their instructions from Peter Marshall.

**Mr LEANE** — Oh, they are taking their instructions. So they are mindless drones that take instructions from one person — —

**Mr Ramsay** — I didn’t say that — your words.

**Mr LEANE** — No, you said, ‘They are’. And I think — —

**Ms Hartland** — On a point of order, Acting President, for the *Hansard*, I also heard Mr Ramsay refer to members of the UFU as mindless drones.

**Mr Ramsay** — On the point of order, Acting President, I certainly did not say that, and I will not have Ms Hartland infer that I did. I am happy to ask *Hansard* to check.

**The ACTING PRESIDENT (Ms Dunn)** — Order! There is no point of order. Mr Leane, to continue his contribution.

**Mr LEANE** — I just got an interjection then: ‘Marshall is saying it, so it must be true’. Those opposite do not understand how a log of claims is actually — —

**Ms Shing** interjected.

**Mr LEANE** — Those opposite would not know. A log of claims has to be endorsed by the members; right? The log of claims has to be endorsed by the career firefighters, and their representatives are saying they never had those claims. They do not want to control the management of the CFA. They have never claimed that. They have never made claims that will be adverse to the volunteers of the CFA. They have the utmost respect for the volunteers of the CFA because they work alongside them every day.

Anyway, the challenge is there. This is on the public record now. Those opposite get up and say that the career firefighters are lying. Those opposite get up and say that, but this is the career firefighters’ response this morning. Those opposite get up and say, ‘They had claims that were adverse’; they have said no, they have never had claims. Opposition members get up and say

that there is a consultative clause that means the UFU is going to take over the world. Well, that is not true; there has been a consultative clause in the EBA all along, so good luck.

If the intention of those opposite is to keep dividing the volunteers and the career firefighters, and that is the optimal political outcome for those opposite, then once again those opposite are not the champions of the CFA volunteers. Those opposite are not championing them; those opposite are lying to them.

**Ms HARTLAND** (Western Metropolitan) — This was an interesting motion when I first saw it. The Greens actually welcome the opportunity to yet again express support and acknowledgement of the great work of Country Fire Authority (CFA) volunteers. In the discussion I had with you earlier this morning, Acting President Dunn, we talked about where you live in Selby and the extraordinary job that CFA volunteers did during Black Saturday. You expressed to me that not only did the CFA volunteers do a great job during that time but they are really the backbone of the community.

I have five CFA integrated stations in my entirely metropolitan area. We have many Greens members who are CFA members as well, so the Greens do actually have a very good understanding of the structure of the CFA and the importance of the work that the CFA does. I am always quite amazed at how volunteers put their lives at risk and on hold during the fire season and how they are prepared to do what I am not capable of doing — that is, protecting the community — and because of that I will always campaign for firefighters' rights.

My respect is for both career and volunteer firefighters, and it is clearly what spurred me on during the Baillieu and Napthine governments to attempt to bring in presumptive legislation. That would have covered both career and volunteer firefighters. I do have to remind the house that it was in fact the Baillieu and Napthine governments that refused to — —

**Mr Ramsay** — You supported it in the wrong house. You brought it into the wrong house.

**Ms HARTLAND** — Mr Ramsay, I asked on several occasions for government members to bring in their own bill. They said the science was not in, that there was no link between — —

**Mr Ramsay** — They were waiting for the Monash University report. You know that.

**Ms HARTLAND** — No. Excuse me. We can go back over the *Hansard*, Mr Ramsay, but the government on a number of occasions said that there was no science linking the 12 cancers that were listed in that bill with firefighter cancer.

Mr Ramsay was one of the many people in this house who, when there were firefighters who came in to watch the debate, said that was a stunt, because firefighters, both career and volunteer — CFA and MFB (Metropolitan Fire Brigade) — came in here to watch that debate, the debate where the previous Liberal-Nationals government said there was no link between cancer and the work that volunteer and career firefighters do. And yes, the bill was refused on a number of technicalities, it was filibustered and members of the then government did everything they could to stop it.

I also repeatedly asked those government members to bring in their own bill, which they refused to do. And miraculously, about five days before the election, suddenly they said yes, they accepted presumptive legislation and they would support it. It was too late by then for them to actually bring in a bill that would have aligned our volunteer and career firefighters with those in other states and the commonwealth. I think that action shows enormous disrespect for firefighters, both career and volunteer, and I find it very difficult to understand how, with that level of disrespect for firefighters, the opposition has decided to bring this motion forward today.

In regard to the second part of the motion, I am somewhat puzzled by this, because I was not aware that Parliament had any role in enterprise bargaining agreement (EBA) negotiations. I was not aware that we were entitled to pass judgement or that it was appropriate for us to pass judgement on EBA negotiations, especially when the relevant documents and negotiations are not in the public realm.

I have requested copies of the EBA that the *Herald Sun* is quoting and that the Volunteer Fire Brigades Victoria is quoting in its press release. I have not received those documents, so the Greens cannot actually make comment on documents we do not have. We are not even sure that it is the most recent EBA document. People are talking about it as if it was from some months ago. What is the document we are talking about? If opposition members have the latest EBA document that they are claiming is going to cause all of these problems, I would suggest that they table that as part of the *Hansard* so we can all see it. Maybe one of the other speakers today could actually talk about

whether opposition members have these documents that they claim are going to destroy the CFA.

The Greens, as I have said, have huge respect for firefighters, both career and volunteer. I have spoken to the Volunteer Fire Brigades Victoria as well as the union on this matter. I have not got the documents. I would really like opposition members to produce these documents that they say will be the downfall of the CFA, and I would suspect that if they bring on a motion like this, they should be able to produce those documents now and have them put into *Hansard*.

We believe that this motion is political grandstanding, and the Greens will not be supporting it. I think it is time opposition members got their priorities right. I think they should put on the record why it was that they did not support presumptive legislation when they could have, and why it is they are now suddenly bringing on motions like this when clearly they have very little regard for volunteer or career firefighters.

**Mr RAMSAY** (Western Victoria) — I am pleased to be able to make a contribution to Mr O'Donohue's notice of motion. Part 1 of the motion states:

That this house —

- (1) acknowledges the selfless and courageous work of the brave men and women of the Victorian CFA, one of the most remarkable volunteer organisations in the world ...

I do so heartily, having been a Country Fire Authority (CFA) volunteer myself for the Birregurra fire brigade for many, many years. I have fought most of the serious fires — not the 1939 fire, I might add, because I was not born then, but certainly Ash Wednesday, Black Saturday and the many, many fires in Western Victoria Region, which I represent, both as a volunteer firefighter but also as a private landholder. I provide my own appliances, which we have on our property — ex-CFA tankers — and the men who work for me are also made available to fight fires in neighbouring areas particularly but also to fight fires anywhere within a reasonable reach of our locality.

As the president of the Victorian Farmers Federation I was very active during the Black Saturday fires supporting farmers who were affected by those fires in the north-east. In fact I slept up at Omeo on many a night during those fires and helped organise fodder reserves and fodder supplies for those burnt-out areas, helped with volunteer fencing and also helped at the fire front myself. Over my many years of being a volunteer and in different leadership roles I have played what I believe is a reasonably sympathetic role in helping and supporting our volunteer firefighter base. I

also agree with Mr Leane in relation to not only concentrating on CFA volunteers but firefighters generally, and that includes career firefighters in the CFA and those firefighters in the Metropolitan Fire Brigade, who have a very important role in our society protecting our communities. I certainly acknowledge the tremendous amount of work that goes into the training of our firefighters, both paid and unpaid, and the selfless volunteer time that they provide in protecting their local communities. I think for part 1 of the motion there is general consensus. Even Ms Hartland said the chamber stands in unison in relation to part 1 of Mr O'Donohue's motion acknowledging the selfless and courageous work of all firefighters, men and women, regardless of whether they are paid or unpaid.

I would also like to take the opportunity to respond to Ms Hartland's contribution in relation to presumptive legislation. It is true, and I have acknowledged in a number of contributions the work that Ms Hartland did, particularly in relation to her work with the inquiry into presumptive legislation by the standing committee of the Legislative Council. As we know, at the time it was a money motion that was required to be dealt with in the Legislative Assembly not the Legislative Council. That was one of the problems associated with moving that motion forward. The other issue of course is that the Minister for Police and Emergency Services at the time, Kim Wells, had already commissioned a report by Monash University to look at the possible links between firefighters and their workplace and the contraction of certain cancers — there were 12 identified under the act — and whether or not in fact that could lead to a presumptive legislation model. That work was being done as the coalition went towards the election into the caretaker mode. I think members will see that I have on many occasions said that I support in principle the concept of presumptive legislation for all firefighters. I do so now, I have done over the years and I certainly have done so more recently as a local member now, sadly, in opposition. In my local rural brigades I have done what I can to have brigades sign up to the presumptive legislation model for all firefighters on a fair and equitable basis. I would like to put on record that I have always been a strong supporter of fairness in relation to firefighters receiving appropriate compensation for damages and illnesses contracted in the workplace.

Mr Leane has raised so many issues that unfortunately I cannot cover them before question time, so I will flag to you, Acting President, that my contribution will fall into the after-lunch period. However, I would like to start to tackle part 2 of the motion and respond to Mr Leane, as his contribution invited responses on a

continual basis. We did of course give him that response and he then said that we were not giving him the respect he was due, given that he made no interjections during Mr O'Donohue's contribution. The difference of course is that Mr O'Donohue did not invite response from Mr Leane on an ongoing basis, whereas Mr Leane's contribution almost at every sentence invited a response, given that he spent most of his contribution calling us liars.

**Ms Shing** — No, he did not.

**Mr RAMSAY** — Yes, he did. He said we were lying — we were lying, we were lying, we were lying. It is all in *Hansard*, Ms Shing. If that does not invite a response, and if Mr Leane was not expecting a response, he has obviously not been in this place for very long. But he has, and he should know better.

I will get to the crux of the issue. Today is International Firefighters Day. You would not think so with the debate we are having about whether the motion is about career firefighters or volunteer firefighters. We have not tried to differentiate between the two. We have always said that in any enterprise bargaining agreement negotiation (EBA), whether it be with paramedics or firefighters or police or nurses or teachers, that through that negotiation there should always be some goodwill in relation to a fair day's pay for a fair day's work.

Certainly, as I understand it, Volunteer Fire Brigades Victoria has not in the many, many parts of the EBA negotiations argued that in fact firefighters, whether they are United Firefighters Union (UFU) members or not — career firefighters — should not be given a fair day's pay for a fair day's work. In fact I do not think that even the part of the EBA in relation to the increase in salaries is really up for dispute. It is more the issues around the vetoes of power that are causing concerns, particularly to the CFA.

I will get to the second point because Mr Leane used his cup of coffee with Peter Marshall yesterday morning to provide us with supposedly substantive factual information in relation to what the EBA is all about. In Mr Leane's contribution he went through in some detail how on Friday night he was getting some chicken and missed a phone call from Andrew Ford, who had the respect to return Mr Leane's phone call straightaway. But in the momentous occasion of Mr Leane purchasing a chicken he missed the call from Mr Ford and then he left a message on voicemail. Next morning, after he had consumed the chicken and Mr Ford had not returned his call, he felt he was being totally ignored.

But as Mr Leane would know, Volunteer Fire Brigades Victoria has publicly raised a number of issues around its concerns about the proposed EBA. It is true that we are seeing in the media certain sections of what we believe is part of the EBA negotiations, and thank goodness for that. Thank goodness for James Campbell, who has done his own investigation into what the UFU is seeking in relation to the EBA negotiations. Thankfully the CFA volunteers are now starting to learn what is hidden behind the EBA in relation to an attempt to push volunteers out of volunteer-based brigades and bring in the career firefighters and the UFU tentacles so it can have control over these local, regional, rural volunteer fire brigades that have been in this state for generations. The UFU is trying to trash the most recognisable volunteer brand in the world — the 60 000 volunteers in the CFA. There is a reason for that — that is, part of the community spirit supports the CFA base.

Mr Leane went into some detail — in fact twice before Mr Morris raised a point of order about the standing orders in relation to repetition. I thank Mr Morris for that. Thankfully we were spared another hour of Mr Leane's contribution by the standing orders. But the point is that there was nothing factual about what Mr Leane said. His contribution was based on a cup of coffee with Peter Marshall. Mr Leane should have heard Jon Faine on the ABC two weeks ago when he had Peter Marshall in the studio with Andrew Ford talking about the fire services review recommendations, which I note Mr Leane did not refer to at all. Guess what? There was consensus about all the recommendations bar two, and guess what they were? They were about the veto of power and UFU representation on the consultative committees in relation to managing CFA vehicles —

**Mr Leane** interjected.

**Mr RAMSAY** — I beg your pardon?

**Mr Leane** — The law allows them on the consultative committee.

**Mr RAMSAY** — As Mr Leane knows, I cannot talk directly to him; I have to talk through the Chair. But I am happy to talk to him about it afterwards. I am going to respond to a couple of issues for Mr Leane's benefit, because this is fact. It is not Peter Marshall's morning cup of coffee with Shaun Leane as of yesterday that suddenly is supposed to be all true.

**Ms Shing** interjected.

**Mr RAMSAY** — No, there has been no agreement signed at this stage. Believe me, this is about version 17

and if the UFU had its way, there would only be version 1. But suddenly, thanks to the good work that James Campbell did in the *Herald Sun*, we now have a greater understanding of what this EBA is all about. We know that Bill Shorten is ringing up the Premier, Dan Andrews, every day saying, ‘Get this deal done. I don’t want this to influence my federal campaign’. So Dan Andrews is running around saying to the Minister for Emergency Services, Jane Garrett, ‘Get this deal done, because if you don’t, I will’. She is doing her very best to make sure there is a fair and equitable agreement for all firefighters, but Dan Andrews has pushed her aside and said, ‘Don’t worry. I’ll handle this. Mr Leane and I are going to have a cup of coffee with Peter Marshall and we are going to sort this out. We have got a deal for you’.

**The PRESIDENT** — Order! Mr Ramsay! Thank you.

**Business interrupted pursuant to sessional orders.**

### DISTINGUISHED VISITORS

**The PRESIDENT** — Order! I take this opportunity to welcome some visitors in the gallery today who are from the Fijian Parliament. We have a delegation of whips who are studying the wonderful work of our whips here and obviously observing other aspects of our Parliament. As members would be aware, we have supported Fiji in reinstating its Parliament, and a number of our members and particularly staff have gone over to advise it on various aspects of systems and processes. On this occasion the delegation from Fiji is the Honourable Salote Radrodro, the Honourable Ashneel Sudhakar, the Honourable Prem Singh and the Honourable Isoa Tikoca. I have gone from Japanese to Fijian, and I am not good at either. My apologies for the pronunciation, but you are very warmly welcomed to our Parliament today.

### QUESTIONS WITHOUT NOTICE

#### Protective services officers

**Ms PATTEN** (Northern Metropolitan) — My question is for the Minister for Training and Skills, Mr Herbert. Recently a Melbourne man was pepper sprayed at point-blank range by protective services officers (PSO) at Moreland railway station. ‘I was pepper sprayed by a PSO while trying to stop them assaulting a friend of mine’, the man, later identified as Peter, said. Peter admitted that he and a friend had been fare evading but said the PSOs were very heavy-handed in their response. There have been many reports of PSOs overusing force when dealing with passengers,

and I ask Minister Herbert to clarify how many times PSOs have resorted to pepper spray in the 2015–16 financial year.

**Mr HERBERT** (Minister for Training and Skills) — I thank Ms Patten for her question. It is fair to say that I do not have the exact figures right now, and I will have to refer this matter on to the minister. However, I will say that, as Ms Patten knows, these are operational issues and I am sure they are operational issues that the acting police minister discusses regularly with the police commissioner. It is an issue for police command, but on the specifics of Ms Patten’s request, I shall have to refer that on to the relevant minister.

#### *Supplementary question*

**Ms PATTEN** (Northern Metropolitan) — I thank the minister for his response, and I agree. While they are operational issues, a Victorian Auditor-General’s Office 2016 report found that current data does not allow it to determine if the presence of PSOs has any impact on crime. Given that reducing crime and antisocial behaviour on the train network were the policy objectives of the PSO program, this is fairly concerning. Can the government confirm if the evaluation framework that it has committed to develop by 30 June will include evaluation of PSO use of force and conduct?

**Mr HERBERT** (Minister for Training and Skills) — It is obviously a broad review. I am not a party to the actual details of the terms of reference of the review, and I will refer that on to the minister. I note Ms Patten’s concerns, and I am sure the minister will be addressing that in his response.

#### Suicide prevention

**Mr PURCELL** (Western Victoria) — My question is for the Minister for Families and Children in her capacity as the representative of the Minister for Mental Health. It was very pleasing to hear of the government’s allocation of \$27 million in last week’s budget for community-based suicide prevention across six Victorian communities. My home shire, the Shire of Moyne, has a suicide rate growing at an alarming scale. In fact it increased fourfold between 2009 and 2014, putting the Moyne shire’s suicide rate at close to triple the state average. The 2015 statistics are not yet available as they are not completed until after the coronial process has been completed — often taking 18 months. However, I personally know of many other tragic suicides in the last 16 months, which will push the figure even higher.

There has been a large body of work undertaken by the Great South Coast suicide prevention group, and I ask the minister: will the government commit to including the Moyne shire as one of the six communities to be funded under the \$27 million suicide prevention strategy?

**Ms MIKAKOS** (Minister for Families and Children) — I thank the member for his question. It really is a very important question, and I just want to commend the member for the empathy that he is showing to his local community in taking up such an important issue. We know that every suicide is a tragedy for the family involved and for the whole community involved. We also know that these issues are very deeply felt in regional parts of our state because there are obviously greater opportunities for individuals to know their neighbours and other members of their local community, so when these tragedies happen they are greatly felt throughout the entire local community.

The member is probably well aware that in November last year the Andrews government released *Victoria's 10-year Mental Health Plan*. The plan delivers a long-term vision to improve mental health services and outcomes for Victorians with a mental illness, and a key component of that plan is addressing suicide. The plan commits our government to developing a whole-of-government suicide prevention framework. The mental health expert task force established through the 10-year mental health plan will oversee the development of this framework.

As the member has already alluded to, this year's state budget allocates \$27.5 million to support new suicide prevention initiatives. These include trials of personal support services for survivors of suicide attempts at six sites across Victoria and additional place-based approaches to suicide prevention. They are looking at six sites at which local communities will be supported to implement key strategies, including workforce training, school-based support, community awareness and responsible media reporting, and also the design and testing of a youth suicide prevention app that will support young Victorians with suicidal thoughts and assist them to develop a safety plan.

Can I just say that I am aware that the member has been doing some advocacy with the responsible minister, Minister Foley, and I want to commend him for taking up these important issues on behalf of his local constituents and local communities with the minister. Obviously there is some work that needs to be done between the announcement of the funds in the budget and working with stakeholders and those people with

the expertise around the allocation of the funding, and I would encourage the member to continue to have those discussions with the relevant minister to feed into the decision-making.

*Supplementary question*

**Mr PURCELL** (Western Victoria) — I thank the minister for her response. As I said in my substantive question, one of the big issues is the getting of the data, and it is sometimes 18 months before the data actually comes through the coronial process into the community. That inhibits some of the work, because the data is not there. I ask the minister: will work be done to try to get that data through the process more quickly so that we have quarterly statistics, at no more than a quarter behind, so that we can actually have more up-to-date information?

**Ms MIKAKOS** (Minister for Families and Children) — I thank the member for his supplementary question. It goes to matters of data gathering to really help us to understand the nature of the issues and trends in particular local communities. I will have to refer that specific issue to the minister for a response, but I know that the minister is working very assiduously to respond to this issue. I think the funding allocation is really a very significant one, in recognition of the fact that this is a hidden problem in our community in many senses. It is not really spoken about in many senses, but we do want to encourage people to talk to their friends and their loved ones about these issues and seek out the help when they require it, and I think issues around data are an important part of that in informing the community about the extent of the problem that we have, not just in our regional communities but across the state. I am happy to pass on that to the appropriate minister.

**Timber industry**

**Ms DUNN** (Eastern Metropolitan) — My question is for the Minister for Agriculture. It is in relation to the Imperium logging coupe in the Central Highlands of Victoria. I have been provided with details of a conversation with Mr Walsh from VicForests who advised a community member that VicForests has no capacity to swap out the Imperium logging coupe, a coupe that contains Leadbeater's possum, with another coupe as there is no other coupe to swap to. This seems to indicate that supply capacity has reached a critical low. Can the minister advise: has she run out of logging coupes, timber supply and the ability to swap out the Imperium logging coupe?

**Ms PULFORD** (Minister for Agriculture) — I thank Ms Dunn for her question and her interest in this matter and matters relating to the timber industry in Victoria. As Ms Dunn and other members are no doubt aware, the government has been supporting the establishment and ongoing work of a timber industry task force. There are many people and organisations involved in exploring areas of potential consensus and recommendation to government about the future of the timber industry, and of course in doing so seeking to balance those imperatives of job protection and creation but also the environmental benefits that I know Ms Dunn holds very dearly.

There have been as part of the work of the task force, I am advised, a number of discussions around coupe swaps, where the parties have been engaged in discussion around protection of those areas with highest environmental value. The coupe swap process is something that has been undertaken over a number of months. I am not in a position to definitively respond to Ms Dunn's assertion about a conversation that she had around the availability of timber, but I certainly know that VicForests and indeed departmental staff, through both the Department of Economic Development, Jobs, Transport and Resources and the Department of Environment, Land, Water and Planning (DELWP), have been supporting the work of the task force. I think we all look forward to seeing the task force's final deliberations, which are due to government by the end of June.

*Supplementary question*

**Ms DUNN** (Eastern Metropolitan) — I thank the minister for her answer. Can the minister advise: why has VicForests declared an intention to log the Imperium coupe prior to the completion of a DELWP survey, where citizen scientists have already identified the presence of Leadbeater's possum? Will the minister intervene to rein in VicForests?

**Ms PULFORD** (Minister for Agriculture) — Ms Dunn refers to the work of members of the community who choose to involve themselves in these matters and provide reports based on their observations to DELWP, which works closely with VicForests in relation to all of the regulations that exist to protect the sustainable operation of our timber industry and those environmental values, as well as of course the great work that VicForests does in supporting the recovery of the Leadbeater's possum. VicForests and the work that it does are integral to supporting the recovery work around the Leadbeater's possum, and on the —

**Ms Dunn** — On a point of order, President, my question went quite specifically to the matter that DELWP, who is conducting a survey, has not yet completed that survey but there is already a notice on that logging coupe declaring an intention to log as of 2 May.

**The PRESIDENT** — Order! I am not sure that is a point of order as such. It is at best a clarification or an extension of Ms Dunn's question. I will not rule on it as a point of order. The minister might bear that in mind in the few moments she has left — in fact she has no moments left.

**Ryan and McNulty Sawmillers**

**Ms DUNN** (Eastern Metropolitan) — My question is to the Minister for Agriculture. In April the government provided a \$100 000 grant to the Ryan and McNulty timber mill in Benalla to expand its capacity to process native forest timbers, including mountain ash from the Central Highlands. Was the grant intended as a way to inflate the value of the company should any compensation arrangements be an outcome from the forest industry task force?

**Ms PULFORD** (Minister for Agriculture) — I thank Ms Dunn for her question. I think the question is probably best directed to me in my capacity as Minister for Regional Development. It was a grant provided to the Benalla company from the \$500 million Regional Jobs and Infrastructure Fund. The grant was for \$100 000. I take the opportunity to thank Ms Symes for having represented me on the occasion of the announcement of this grant. A number of jobs will be created within this business, which is of course a terrific thing and something that I think all members of the house probably celebrate, or certainly would now that they are aware of it. Creating jobs in a community like Benalla, indeed in any community, is a very worthwhile thing.

The Regional Jobs and Infrastructure Fund supports jobs growth in a range of industries and of course also community infrastructure of varying scale in communities right across regional Victoria. I think Ms Dunn is suggesting perhaps that the Regional Jobs and Infrastructure Fund should have guidelines that prohibit supporting some types of industries that she does not like so much, but the guidelines make no distinction about different types of industries. Regional Development Victoria works closely with companies from an extraordinary breadth of industries in Victoria doing a remarkable range of things and works with companies to secure and support investments that will create jobs. That is the point of the fund. That is the

point of the grant that was provided to the Benalla-based company. I certainly wish that company well in its future endeavours and congratulate it on its plans to increase the size of its workforce and to create jobs in Benalla.

*Supplementary question*

**Ms DUNN** (Eastern Metropolitan) — I thank the minister for her answer. Can the minister advise why she is providing taxpayer funds to expand the processing capacity of a native timber mill that relies on supply from a forest ecosystem that is in collapse and clearly has issues in relation to supply around coupe swaps in which lives the critically endangered Leadbeater's possum, our state faunal emblem?

**Ms PULFORD** (Minister for Agriculture) — I thank Ms Dunn for her further question on this matter. I think Ms Dunn might be well advised to familiarise herself with the way in which the Regional Jobs and Infrastructure Fund operates and the way in which Regional Development Victoria works across the state, with communities across the state and with employers and companies seeking to grow and expand across the state. The objectives of the \$500 million Regional Jobs and Infrastructure Fund are to make our regional towns and cities stronger, to support the diversification of their economies and to create jobs growth.

Ryan and McNulty's decision to expand has no direct engagement with questions of timber supply and timber supply contracts. It has been treated, in consideration of its grant application, in the way that any other organisation in Victoria seeking support through the Regional Jobs and Infrastructure Fund would also be treated.

**Melbourne Youth Justice Centre**

**Ms CROZIER** (Southern Metropolitan) — My question is to the Minister for Families and Children. According to recent reports there have been assaults inside the Melbourne Youth Justice Centre in Parkville and there are staff fearing for their safety. How many WorkCover claims have been lodged since the riots of last October?

**Ms MIKAKOS** (Minister for Families and Children) — I thank the member for her question. I want to assure her and the community that community safety and the safety of the staff and the clients in our youth justice precinct is a priority of our government. We have been working very closely through the management of our youth justice precinct to ensure that occupational health and safety issues are in fact

addressed. What happened last year, as the member would be well aware, was that we commissioned a review by Peter Muir following the incident that the member is referring to, but there was also some work done by Peter Muir looking at occupational health and safety issues.

Can I just say to the member that we have ensured that as of April of this year all vacancies at the Parkville precinct have been filled. What happened under the previous government was that there was a reliance on casual staff and there were staff vacancies. Obviously that has an impact on the relationships that staff can have with the clients. I am very pleased that as of April of this year all vacancies at the Parkville precinct have been filled.

There are challenging issues in terms of managing clients who have very troubled histories, in some cases very traumatised histories. They of course can exhibit some difficult behaviours. Whilst we have a focus on rehabilitation of young people in these facilities, there is no tolerance of criminal behaviour. If there are alleged assaults, they are reported automatically to Victoria Police for investigation, and charges are laid. We take the issue of the safety of our staff very seriously. We are working closely with the union and its representatives to make sure that we can address concerns that they have raised around some of the occupational health and safety issues.

I can advise the member also that despite some commentary in the media around these issues, there have in fact been no operational changes to the response to client assaults or client-to-staff assaults since 2014. Despite the fact that the member has gone out and seemed to suggest changes, there in fact have been no changes. We are working very closely through the management with the staff and the union to address the occupational health and safety issues, but obviously in terms of specific numbers they are not numbers that I carry around, so I am happy to take the specific issue on notice.

Can I just say also to the member that our government has greater transparency on these issues than was ever exhibited by the previous government. We have in fact put on the website quarterly data on category 1 incident reports, which was never the case under the previous minister, who hid data away through cabinet committees and just made sure she put no data out whatsoever.

*Supplementary question*

**Ms CROZIER** (Southern Metropolitan) — I thank the minister for that undertaking. How much to date have the WorkCover claims cost?

**Ms MIKAKOS** (Minister for Families and Children) — In relation to that specific request, obviously that is not information that I have readily at hand, but I make the point to the members, who are Johnny-come-latelys when it comes to the issue of community safety, that the previous government in fact cut 20 full-time youth justice workers. Ms Wooldridge in fact cut 20 — —

*Honourable members interjecting.*

**The PRESIDENT** — Order! There is way too much noise on my left. The minister is not helping, though, by actually poking at them. It would be best if the minister addressed her answer through me, which might take a little bit of the heat out of the whole thing and allow members to settle.

**Ms MIKAKOS** — President, through you, it is in fact the Leader of the Opposition who was the responsible minister who cut 20 full-time youth justice workers, who were responsible for bail supervision. Those opposite come in here and complain about bail changes, but at the same time they ripped out 20 youth justice workers, which had an impact on the ability to supervise young people on bail. By contrast, we have put \$1.1 million over two years in this year's budget to expand the youth justice bail supervision program. They are all talk and no action, and when it comes to it, they cut funding.

**Vocational education and training**

**Ms BATH** (Eastern Victoria) — My question is to the Minister for Training and Skills. On the minister's watch, funding for government-subsidised training has been cut and the number of students in training has plummeted by almost 66 000. Does the minister admit that the government has broken its election promise to grow enrolments?

**Mr HERBERT** (Minister for Training and Skills) — President, through you — I will not poke on this one — I thank the member for her question. Can I just say that training numbers are in fact down across the country, and it is a complex situation. They are down by about 200 000 nationally compared to 2012. Higher education numbers are up. They are up by about 10 000 in Victoria from last year alone. The decline is partly accountable through a number of areas. It has clearly occurred through the scrapping of the

commonwealth government employer subsidies to existing workers and to students. That has had a major impact. I would hope that when we see details of the federal budget with regard to employer incentives for young unemployed people there might be help to alleviate some of that circumstance.

The numbers are down because of the massive growth in VET FEE-HELP, which shifted people from apprenticeships across to diplomas. Most of those diplomas of course were never completed and were not worth the paper that the training was supposed to be delivered on. I will not go on about VET FEE-HELP. It is a debacle. Part of it is of course due to the demise that occurred in employer and student confidence in the training market, both in Victoria and nationally; part of it is due to the major changes that occurred under the former government's subsidy changes to foundation courses, which account for a major part of the decline; and part of it is to do with our crackdown on dodgy training, which accounts for — —

**Mrs Peulich** interjected.

**Mr HERBERT** — You may want to wait for it before you say anything. It accounts for about 48 per cent of the decline in training. Our crackdown on poor quality, dodgy training accounts for about 48 per cent of the decline. In other words, we have had incredibly inflated figures, low-quality training, poor outcomes and a lack of confidence — a combination of sources. I will say that under the national partnership agreement, negotiated by the previous state government, in terms of growth targets for Victoria there was clearly a recognition that the changes to the subsidy rates would have an impact on enrolment numbers, and we in fact continue to exceed those growth targets negotiated by the previous government with the commonwealth under the national partnership agreement.

*Supplementary question*

**Ms BATH** (Eastern Victoria) — I thank the minister for his response. Considering almost 66 000 fewer students were able to access government-subsidised training last year, will the minister rule out further Labor declines to students accessing TAFE and training, which has happened under his watch?

**Mr HERBERT** (Minister for Training and Skills) — President, through you, it would appear that the member just does not understand or is not even listening here. There are many reasons for the decline. What I will say is this: I know that there are many people in this chamber who have a grave concern about the proliferation of dodgy training that does not lead to

qualifications or lead to a job, and it is a concern that the federal government just cut the funding to the commonwealth regulator by 10 per cent at a time when there is rampant roting of the VET FEE-HELP commonwealth scheme.

However, I will say to the member that my agenda is very clear: I do not want to continue to spend government taxpayer money to fund very low quality training that does not lead to any job outcomes, does not lead to any productivity for industry and does not lead to any economic growth. We are reforming the training system in this state to get back the quality of training — and quality is a key parameter — to get back confidence in training and to build a training system that meets our economic needs and the community needs and that provides jobs for people, real outcomes for people and real productivity for businesses.

### TAFE funding

**Mr RAMSAY** (Western Victoria) — My question is to the Minister for Training and Skills. On his watch, government funding for training at the Gordon has been cut by \$23.2 million, and last year the institute delivered less than half the training it did in 2014. In addition, government funding for Federation University was cut by \$5.6 million, including \$2.1 million for vocational education and training. Why should the communities of Geelong and Ballarat trust the Andrews government when it promised at the state election that it would increase training funding and grow enrolments at TAFEs?

**Mr HERBERT** (Minister for Training and Skills) — I thank Mr Ramsay. Nothing could be further from the truth, quite frankly. I will go through those details, and I will also clarify something Mr Ramsay may be interested in. If we look at TAFE finances, it is really clear that TAFEs went from an operating loss of about \$52 million in 2014 to a profit of \$25 million in 2015. Nine out of the 12 TAFE reports reported operating surpluses compared to 2 in 2014. We have seen cash and investments up \$128.9 million — an increase from \$378 million in 2014. All of those figures on TAFEs reflect their improved position and improved outlook, and if members went around and spoke to TAFEs, the TAFES would tell them that. In fact we talked about numbers just before. If members want to look at training, the numbers of apprenticeships, the high end that leads to jobs, we are the only state in the country that is actually raising those apprenticeship numbers.

Let us have a look at a couple of the figures Mr Ramsay just talked about. I am happy to do that. Let us start with the Gordon. The Gordon had an operating deficit of \$1 million compared to an operating deficit of \$0.3 million in 2014. This was a one-off hit to the Gordon, because under us we said inappropriate outsourcing of training that was not of the quality expected should not happen. So it cancelled some \$30 million in outsourced training that was not being done by the Gordon, was not necessarily being done in Geelong and certainly was not being done to the standard the Gordon expected. It cancelled those contracts and had a \$10 million one-off hit to its operating position. The Gordon is rebuilding. It is going very well. It is going to have a tech school. It is positive about its enrolments. We come from a very low base, and I am confident that the Gordon is doing a good job.

Federation University, I think, is the other one Mr Ramsay indicated. It is a similar situation. It was hit pretty hard by the changes in funding under the previous government. It has received considerably more funding under us than under the previous government. We are going through the structural reforms in getting our TAFEs orientated towards the needs of their communities and the needs of their industries, and they are going very well also.

### *Supplementary question*

**Mr RAMSAY** (Western Victoria) — I hope the minister was not suggesting that the Gordon's annual report was fabricated.

**Mr Herbert** — No, I am not saying that at all.

**Mr RAMSAY** — With youth unemployment at 15.5 per cent in Geelong and 16.1 per cent in Ballarat — 1.4 per cent higher than when Labor came to office — will the minister guarantee there will be no further Labor financial cuts to training at any TAFE in the state, especially in Geelong and Ballarat?

**Mr HERBERT** (Minister for Training and Skills) — The premise of the question is absolutely ludicrous. As I say, when it comes to TAFEs — —

**Mr Ramsay** — It's in the annual report. You can't refute an annual report.

**Mr HERBERT** — I suggest you read it a bit better.

Through you, President, when it comes to TAFE we have increased funding substantially. We have increased it at a time of declining enrolments nationally because we are restructuring them towards work needs. If we talk about unemployment, the links between

training and unemployment we would agree are crucial. You have to have a training system that actually leads to jobs and a training system where those jobs lead to productivity for businesses, otherwise they will not take on an apprenticeship or traineeship. That is exactly what we are doing. We will continue to do that, and we will continue to strengthen our TAFEs.

### Vocational education and training

**Mr MORRIS** (Western Victoria) — My question is to the Minister for Training and Skills. I refer the minister to the fact that on his watch student contact in Victoria has plummeted by 27 million hours, enrolments have dropped by more than 91 000 and there are almost 5000 fewer people taking up an apprenticeship or traineeship. Is there any tangible performance measure by which he has improved training in Victoria?

**Mr HERBERT** (Minister for Training and Skills) — Yes, there is. That is a damn good question. That is a very good question. We have improved funding to TAFEs by \$56.8 million, from \$468.1 million to \$524.9 million in 2015. We have substantially lifted the financial outcomes of TAFEs — if you went and spoke to them — from 2014. It is a \$77 million turnaround. We have opened campuses that were closed. Swinburne Lilydale is a huge campus reopened in the Yarra Valley. We are reopening campuses in Gippsland, at Forestech training. When it comes to — —

*Honourable members interjecting.*

**The PRESIDENT** — Order! I must talk to the dining room about serving red cordial during the mornings. There is way too much noise. The minister has been asked a series of questions, and he is endeavouring to respond to them. The level of interjection is totally unacceptable given the minister's responses. The minister, without assistance.

**Mr HERBERT** — Thank you. Of course the other factor here is that the decline that has occurred in the last few years following the funding cuts to TAFEs, the funding changes to foundation studies under the previous government and the commonwealth government pulling out of subsidies for existing workers and students — that was a massive decline over the last two years. In fact last year's decline is significantly less than the year before right across the state, and there are indications this year that the decline is starting to even out and in fact Victoria is going pretty well.

Can I just say that when it comes to apprenticeships and traineeships — I have talked about nationally — Victoria leads the country when it comes to apprenticeship and traineeship commencements.

### *Supplementary question*

**Mr MORRIS** (Western Victoria) — I thank the minister for his response. In his performance measures the minister has cut many targets, including government-subsidised student contact hours, the number of apprenticeship commencements by new employees, the number of students enrolled in government-subsidised courses and the participation rate of 15 to 24-year-olds in government-subsidised training. Why has the government admitted defeat and drastically reduced its own targets for training, higher education, workforce development and skills across the board?

**Mr HERBERT** (Minister for Training and Skills) — That is an absolutely ridiculous question. Let us be clear. I reject the notion of the previous government that training outcomes directly relate to statistics on a page. For instance, there is the example of the Gordon, with \$30 million being outsourced. There is the VET FEE-HELP, where we are seeing completions of 6 to 10 per cent on many of those courses. The training system should not just be about shovelling bucketloads full of cash to providers so that they can get rich. It should be measured on the outcomes it produces for students, industry, jobs, productivity and economic growth.

If members go back a little bit, they will note that we had a major review into the training system in this state whereby we had a number of recommendations — recommendations to have a more managed system.

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

### Australian Careers Network

**Ms WOOLDRIDGE** (Eastern Metropolitan) — My question is for the Minister for Training and Skills. Noting that the Australian Federal Police has raided and is investigating the Australian Careers Network (ACN) for fraud-related issues and robbing of federal government funding, has the Victoria government conducted its own investigation of ACN's use of Victorian government training funding, and if not, why not?

**Mr HERBERT** (Minister for Training and Skills) — We are talking about ACN, the Australian Careers Network, which is a large organisation. There

were a number of companies investigated previously, before the commonwealth's actions, by the Victorian government. We cancelled contracts, and we have had a number of legal interfaces, I guess you would say, which I am not going to talk about.

But if you want to go through some of that, there was one company called Smart Connection Training, for which the contract was terminated following administration issues. There were 40 continuing students. The Heron Assess contract has recently been terminated by the department. We did not give Cove Training a contract in 2016; its 2015 contract was terminated. The contract for Consider This Training was terminated in June last year. The contract with the Australian Management Academy was terminated on 12 October. I had of course raised this company, Phoenix, with the federal minister and discussed it with the Australian Skills Quality Authority (ASQA) way before the investigations occurred, because I had major concerns about what activities were happening. Phoenix was the big one of course — the big VET FEE-HELP provider — and I had concerns about that. They were not funded under this government. They were funded previously by the Victorian government, and of course that company is one of the major issues in terms of commonwealth compliance activity.

I just say to you that I do applaud the commonwealth on cracking down but I do have some genuine concerns, as I said, about the 10 per cent cut to ASQA. In Victoria we have put something like an extra \$39 million over the forward estimates into compliance activity.

*Honourable members interjecting.*

**Mr HERBERT** — You can say whatever you want, but you have got to have investigators and legal teams et cetera to really crack down on companies that are really legalised up. We have done that, and a 10 per cent cut will severely disadvantage ASQA. The commonwealth is taking action. We took action in terms of our contract management. It is a pity about some of the people that they employ, quite frankly, and that they employed later, because as we see there is quite a lot of action coming from the feds, and that is what should happen right now.

*Supplementary question*

**Ms WOOLDRIDGE** (Eastern Metropolitan) — I do thank the minister for his response, that I believe only peripherally addressed the specific question. It appears that the minister has not conducted a Victorian investigation into potential fraud relating to Victorian

government training funding to ACN and its subsidiaries, so I ask him: why has he not conducted a Victorian investigation, given the serious nature of potential rorting, and will he order his department to actually conduct such an investigation to protect Victoria's interests as opposed to what is happening at the federal level?

**Mr HERBERT** (Minister for Training and Skills) — It is kind of a bit like the pot calling the kettle black. Goodness me! The fraud and the rorting that went on under the administration of those opposite was mind blowing. To claim that, given the 48 per cent decline in training was because of our crackdown on poor quality training, is unbelievable! That takes unbelievable gall, unbelievable nerve, when compared to what they did and what they did not do in government.

I will say, however, that we have cracked down on the companies through our contract management and through our compliance on the training system. We have cooperated and will continue to cooperate with the commonwealth government in its investigative activities, and that is how it should be. I do not believe at this point we have launched our own investigative activity, because the issue is being investigated by a number of commonwealth agencies and authorities, and we will cooperate with them.

## QUESTIONS ON NOTICE

### Answers

**Mr JENNINGS** (Special Minister of State) — I have answers to the following questions on notice: 5029, 5162, 5167, 5314, 5316, 5327.

## QUESTIONS WITHOUT NOTICE

### Written responses

**The PRESIDENT** — Order! In regard to today's questions, Ms Patten's questions to Mr Herbert were both in regard to protective services officers, and Mr Herbert undertook to obtain answers to both the substantive and supplementary questions from the minister in another place, so that is two days on both of those.

In relation to Ms Crozier's questions to Ms Mikakos in regard to WorkCover claims and the amount that might have been involved in those claims, Ms Mikakos quite understandably did not have those figures to hand and undertook to investigate those, so there will be a response to the member in one day for that one.

On the final question by Ms Wooldridge to Mr Herbert, I am a little undecided on that in so much as I think that Mr Herbert basically did advise the house that he had not launched a separate investigation but was cooperating with the federal investigations. Ms Wooldridge's supplementary question, as I understand, went to whether or not the Victorian government's interests were going to be taken into account in those federal investigations. I think I will let it ride; I will not request a written answer. I think that the minister has basically indicated that they will be federal inquiries.

## BUSINESS OF THE HOUSE

### Invitation from Legislative Assembly

**The PRESIDENT** — Order! I take this opportunity also to advise the house of a message received from the Assembly. This is in respect of an invitation to Council members and an apology.

The Legislative Assembly has agreed to the following resolution —

- (1) The Legislative Assembly invites members of the Legislative Council to attend a sitting of the Assembly in the Legislative Assembly chamber on Tuesday, 24 May 2016, at 2.00 p.m. for the consideration of the motion for a parliamentary apology for laws criminalising homosexuality and the harms caused.
- (2) The lower public gallery on the opposition side of the house be deemed part of the Legislative Assembly chamber and the Assembly standing orders be applied for the time that Council members are invited onto the floor of the house.

This invitation was given by the Speaker on 4 May. It has been indicated to me that there is not a need to take that matter up by way of motion.

## DISTINGUISHED VISITORS

**The PRESIDENT** — Order! I take this opportunity also to acknowledge a former member of the house who is in the public gallery today, Mr Barry Bishop, who is indeed a former Deputy President. Welcome, Mr Bishop. Good to see you.

## RULINGS BY THE CHAIR

### Questions on notice

**The PRESIDENT** — Order! I also indicate that Mr Barber has written to me with regard to question 4898, which was to the Special Minister of State for the Premier in respect of funds that had been expended on advertising promotions and post boosts associated with

the Premier's Facebook page. The response to that question did talk about reduced spending on broader government advertising, and to that extent it provided a fair context and probably a good response in that respect, but it did not go to the specific matter that Mr Barber had requested or the specific area, so from that point of view I am prepared to reinstate that question.

**Ms Crozier** — On a point of order, President, in relation to a request to the minister to provide a written response to the supplementary question I asked yesterday, which was asking that the minister provide the 'total number of children in residential care charged with crimes as reported to ... the Department of Health and Human Services', in the minister's response it says:

The Department of Health and Human Services does not receive advice from Victoria Police about the reporting of crimes in relation to children in residential care.

I ask that this question be reinstated, because the minister has not gone to the specific question that I asked in her answer.

**The PRESIDENT** — Order! Can I see the response, please?

**Mr Rich-Phillips** — On a point of order, President, it relates to the message from the Assembly that has just been noted in respect of its invitation to attend a sitting in the other place on Tuesday, 24 May. The indication was that there is no need for the Council to formally respond to that, but I note, President, that under standing orders the house is due to sit at 2.00 p.m. on that day, you are due to take the chair for question time and, in the absence of any decision by the Council to the alternative, we will be sitting at 2 o'clock for question time at the time that event takes place. So, given the advice is there is no formal response from this house, I just wonder how that is to be reconciled.

**Mr Jennings** — On the point of order, President, in the sequence that has just occurred in the last couple of minutes, which included me talking to the Clerk and listening to you in relation to another matter that had been raised, all in real time, I was not able to rise to my feet to indicate to the chamber that it is the government's intention to reconcile the issue that Mr Rich-Phillips has just drawn to the attention of the chamber in relation to this invitation by clarifying the changed circumstances that may be incumbent upon the Legislative Council to take account of relating to question time on the day, 24 May, to facilitate a joint sitting and to actually facilitate the appropriate representation of interests of this chamber in relation to contributing to that sitting.

**The PRESIDENT** — Order! In respect of Mr Rich-Phillips's point of order, that was why I thought it would have been prudent to actually have a motion to respond to the invitation. Whether or not that motion was conveyed to the Assembly was quite another matter, but I thought that we needed it because of the timing that was a crucial issue in terms of our business. For clarification, this is not a joint sitting. It is an invitation to members of this chamber to join the Assembly; it is not a joint sitting as such. The Leader of the Government has indicated that the chamber can anticipate a motion at some stage, probably tomorrow when the date of the next meeting is set, to set an alternative time for question time to accommodate these particular proceedings.

**Mr Ondarchie** — On a point of order, President, the issue I wish to raise relates to a question without notice written response I have received from the Minister for Small Business, Innovation and Trade. It relates to a question I asked on 13 April this year about jobs created through the Back to Work scheme in the small business sector where you ruled, President, that you would request a written answer on that question because you were of the view, and I quote *Hansard*, that:

I would have thought that in fact there would have been considerable interest in the department in the number of jobs created in that sector that might well have been useful in press releases and so forth, so I would tend to think that information might be available ...

You offered that to the minister, and in response he said:

The State Revenue Office and Minister Pallas's department have that information, so can I have two days on that?

You acceded to that request, and his response to me is:

As I have previously advised the house, the operation of the Back to Work scheme does not fall within my portfolio responsibilities, so I encourage Mr Ondarchie to readdress the question to the Special Minister of State in his capacity representing the Treasurer in the legislative chamber.

So it took a whole two days plus the gap in parliamentary sittings to get us that response. I ask that this question be reinstated for a more fulsome response.

**Mr Dalidakis** — On the point of order, President, at the time you expressed a view that my department may be interested in that information. On further discussion with my department it was availed upon me that in fact the State Revenue Office does retain that information and that that question is best directed, in terms of accessing the information, to the people who actually retain it. And so when I came to providing you with the

answer for Mr Ondarchie, I reflected on your observation and your suggestion and then gave what I believe to be the appropriate answer to Mr Ondarchie to ensure that he gets the most appropriate information as quickly as possible.

**The PRESIDENT** — Order! I will decline the opportunity of reinstating the question because I believe that the minister has provided an answer and suggested a course of action for Mr Ondarchie. I must say, if I was the minister for small business, I would want that information.

In regard to Ms Crozier's request for a reinstatement of her supplementary question in regard to children in residential care yesterday, I am of the view that the minister's answer is sufficient, and I will not reinstate it. The minister did indicate yesterday that, I believe, the information pertinent to Victoria Police activity should have been directed to the Minister for Police rather than herself. Her answer here — and Ms Crozier can challenge it by way of a substantive motion or have it taken into account on the next day of meeting — indicates that she does not have those statistics in her department. On that basis I have to accept the minister's response and therefore will not reinstate the question.

**Ordered that written response be considered next day on motion of Ms CROZIER (Southern Metropolitan).**

**Sitting suspended 12.59 p.m. until 2.05 p.m.**

## CONSTITUENCY QUESTIONS

### Northern Metropolitan Region

**Mr ONDARCHIE** (Northern Metropolitan) — My constituency question is to the Minister for Small Business, Innovation and Trade, and it relates to the small business community in the suburb of Lalor and that strip shopping centre that has been severely impacted by government decisions around planning and zoning. I relate this to a matter that I raised with the minister on adjournment on 9 March this year, when he told me he would visit the strip shopping centre in Lalor with the local lower house member. The question I have for him so I can feed it back — —

*Honourable members interjecting.*

**Mr ONDARCHIE** — Yes, Mr Davis picked it up too — the strip shops in Lalor! Could he let me know if he actually has visited these businesses, because they are most concerned about the impact of the government decisions on them? The question I ask on behalf of my constituents in the suburb of Lalor, particularly those

small business communities, is: could the minister let me know when he is going to visit these people, because they are desperately waiting to make contact with him, and could he advise me of the date when he is going to visit?

### Northern Victoria Region

**Mr YOUNG** (Northern Victoria) — My question today is for the Minister for Agriculture. On the eve of the 2016 duck season opening, Lake Elizabeth was closed to not only hunters but everyone else. This was done using an unprecedented mechanism that in the view of many state game reserve users should not exist. This created a terrible situation which forced people out of the area after they had been camped there for several days in anticipation of the opening. Recent information provided to me by locals has suggested that the populations of species on Lake Elizabeth that resulted in its closure have moved on. There is therefore no longer a reason for the lake to be closed to hunting. When will Lake Elizabeth be reopened so that hunters may get some use out of it for the remainder of the season?

### Western Metropolitan Region

**Mr EIDEH** (Western Metropolitan) — My constituency question is for the Minister for Families and Children. The question I ask is: could the minister tell me what government funding is available for kindergartens in Western Metropolitan Region looking to upgrade their facilities, and in particular when will local councils and kindergartens be notified of the next round of grants for the children's facilities capital program?

### Southern Metropolitan Region

**Mr DAVIS** (Southern Metropolitan) — My constituency question relates to the sky rail in my electorate and is for the attention of the Minister for Public Transport. It relates also to the *Managing and Reporting on Performance and Cost of Capital Projects* report released by the Auditor-General today, which at page 21 states:

... have prepared business cases or project proposals for four packages of works comprising 19 crossings in advance of a business case for all 50 level crossings.

It also makes the point on page 19:

Planning documents were prepared for all projects except the level crossing removal program. The government committed to remove —

these crossings. So my question is very specifically: will the government release the business case which is said to exist, at least in part, for the sky rail and the nine crossings between Caulfield and Dandenong? Will the government release whatever there is in the form of a business case?

### Western Metropolitan Region

**Mr MELHEM** (Western Metropolitan) — My constituency question is for the Minister for Industry and Minister for Energy and Resources, the Honourable Lily D'Ambrosio. Many of the businesses in my electorate in the west of Melbourne are being impacted by the challenging global economy and particularly by the shameful abandoning of the automotive industry by the Abbott and Turnbull federal governments, yet there are favourable conditions, including a low Australian dollar, that may help assist a recovery in manufacturing in our state. I note that in March the minister released strategies for the sectors of the economy with the most potential for growth, including new energy technology. Can the minister advise me of what funding and other programs, particularly in the area of renewable and new energy technologies, are available for families and businesses in Melbourne's west?

### Northern Victoria Region

**Mr DRUM** (Northern Victoria) — My constituency question is for Minister Foley and is in relation to mental health. Last week I was able to pull together a forum of community leaders who spend large parts of their working lives dealing with the drug ice. They were from primary health networks, Primary Care Connect, Goulburn Valley Health, Odyssey House, the Australian Community Support Organisation and Victoria Police and principals of high schools and general practitioners. Among them, Rebecca Dean from Primary Care Connect made the pledge to work with all of the agencies to try to create a new and more coordinated framework, but she is going to need assistance. I ask the minister if he is going to be able to provide assistance for a whole-of-community, whole-of-agency new framework to assist in that region's efforts to try to find a better model for tackling ice.

### Western Victoria Region

**Mr MORRIS** (Western Victoria) — My constituency question is for the Minister for Education. We know Ballarat is a growing city, and particularly the suburbs in the west of our golden city are growing exceptionally quickly. However, the government has not seen fit to make a provision for a new primary

school for Ballarat's very fast-growing suburb of Lucas, so my question is: when does the government plan to build and then open a school in Lucas to service Ballarat's fastest growing suburbs?

### Eastern Victoria Region

**Ms SHING** (Eastern Victoria) — The matter that I wish to raise today is for the attention of the Minister for Education, Mr Merlino, in the other place. It relates to the way in which the Morwell regeneration project and recent state funding for Morwell Park Primary School will be implemented to provide better educational opportunities for children in the Latrobe Valley and to improve upon their potential to get better access to facilities and classroom learning environments that can ensure that they reach their very best. I would like to request further information from the minister in relation to how it is that the Morwell regeneration project and the merging of three primary schools will deliver on curriculum requirements across a large school, which for the first time in the valley will have around 1000 students attending at a primary level, and how this will make sure that we can actually implement the objectives of the education state as far as they relate to better outcomes in and around the Latrobe Valley, including the way in which this will interrelate with work at the secondary schools and the tech school, which has been approved to go ahead at Federation Training.

### Western Victoria Region

**Mr RAMSAY** (Western Victoria) — My constituency question is to the Minister for Public Transport. I ask the minister to fund the final link of the Murray Basin rail project from Gheringhap to Geelong port's Lascelles Wharf. As we know, the Napthine government funded the Murray Basin rail project through the sale of the \$460 million Rural Finance Corporation and allocated \$216 million in the 2014–15 budget and forward estimates. The Turnbull federal government has committed \$220 million to the project, which would see the project fully funded by both coalition governments. I have already called for funding for an increase in axle loadings to 23 tonnes for greater efficiency and to tap into the national line, but now we need to complete the missing link — the 1 kilometre that the Murray Basin rail project does not provide, and that is that link between Gheringhap and Lascelles Wharf at the port of Geelong.

### Western Metropolitan Region

**Mr FINN** (Western Metropolitan) — My constituency question is to the Minister for Roads and Road Safety. I fear that the minister may not know the answer to any of the questions related to the western distributor as I further fear that he has been frozen out of having any say over this dog of a project. Confusion still reigns supreme among locals over almost every aspect of the western distributor. The time has come for some serious answers to local residents. Will the minister facilitate a frank and transparent flow of information to locals over this far from satisfactory but very expensive attempt to deal with traffic congestion in Melbourne's west?

## COUNTRY FIRE AUTHORITY ENTERPRISE BARGAINING AGREEMENT

### Debate resumed.

**Mr RAMSAY** (Western Victoria) — What a shame Mr Leane is not in the chamber, because I was warming up just prior to question time and identifying some of his misleading statements about this cup of tea he had with Peter Marshall yesterday morning and the fact that during his expedition to the local chicken factory the night before he had tried to contact Mr Ford for substantiation of the EBA (enterprise bargaining agreement) negotiations. Unfortunately he was unable to make contact with Mr Ford. I think that is where I left it at that point in time. I have to say none of us are much the wiser given Mr Leane's contribution, because it was all based on some coffee chat that he had with the secretary of the United Firefighters Union (UFU).

Can I advise the chamber of my understanding at the moment in relation to this particular EBA negotiation. It will be interesting. Steven McGhie has managed to provide for his paramedic members up to a 48 per cent increase in salaries over the term of their EBA, whereas I understand the current negotiation for UFU firefighters is around 19 per cent. That is going to be an interesting tussle between Mr McGhie and Mr Marshall, who I understand have cups of coffee on an ongoing basis and compare notes about their EBAs, to see whether in fact the UFU thinks it is such a good deal to accept 19 per cent while the paramedics are getting 48 per cent, but I am sure that will be a discussion they will have at another time.

As far as I understand the negotiation, I have already said it appears that Minister Jane Garrett has been sidelined in this current negotiation, and it is now Bill Shorten, Premier Daniel Andrews and Peter Marshall who are negotiating this EBA. Of course we are all

sidelined while those discussions go on behind closed doors.

It was interesting to see at the very successful rally in Melbourne two weeks ago that 421 fire appliances arrived on the doorstep of Spring Street with over a thousand Country Fire Authority (CFA) volunteers, all on 24-hour notice, manning the trucks. Some had driven 8 hours just to get to the rally because they were so passionate about wanting to make the public aware of their concerns in relation to what impact, if successful, the proposal by the UFU in relation to the EBA would have on their ability to be able to fight fires as they have done for generations protecting local communities. What I found interesting was that there was not one local member of Parliament from either the Labor Party or the Greens at that rally. There was absolutely no support. As Ms Hartland stands up there with hand on heart to say how she supports our firefighters, I did not see her — if she was there, she was hiding. Certainly she was not noticed on the steps of Parliament House supporting our firefighters as they were raising concerns about the impost and possible consequences of this EBA. There was not one Labor MP and not one Greens MP standing there. There were a lot of coalition MPs supporting our CFA firefighter volunteers during that rally.

That rally was merely to say that we are very concerned about the impact and consequences of the proposed negotiations of the EBA, as we understand them. I am going to go into some detail about what the UFU is seeking in the EBA's current version, which I understand is version 17. This is more substantiated on facts rather than on the conversations over cups of coffee that Mr Leane might have had with Mr Marshall at any given point of time, which he based his contribution on. As I understand it, there is no current agreement signed. I am still referring to Mr O'Donohue's motion in relation to subparagraphs (a), (b), (c) and (d) of paragraph (2). I am covering all those points of his motion in relation to the impact of the proposed EBA.

As I understand it, as I said, there is no current agreement signed. I do not believe that was the case two weeks ago. I believe the agreement has not been signed and the Premier's intervention in that process was only because of public pressure and the work of many. It was highlighted in the media, in particular by the work that James Campbell did in the *Herald Sun*, and certainly by the work Volunteer Fire Brigades Victoria did in highlighting the concerns of its membership. That is why there has been no agreement signed; otherwise the Premier would have rammed the agreement through on the basis that secrecy and speed

were perhaps more urgent — with the blessing of Bill Shorten — than what consequences it might have on the current structure of the CFA as we know it.

For three weeks we have not heard from ALP members like Ms Shing in relation to the concerns of the CFA volunteers. In fact she sat in this house almost mute in relation to any discussion around the CFA because of the barrage of emails and phone calls she has been getting calling her to account in relation to a lack of response to what is likely to happen to CFA volunteers. So sensitive now are government members and the crossbenchers that they are actually starting to take notice of what public opinion is around the impact on the volunteers if the proposed EBA were to go through. Well done, public! I thank them for standing up to be counted and letting Labor MPs know that they are not going to tolerate any sort of power shift by the UFU into our volunteer brigades to the point where they have total control of both the management and decision-making in relation to appliance call-outs and even clothing and other matters.

Mr Leane in his contribution did not actually refer to any clauses, so I can only assume that his discussion with Peter Marshall was based on a broad generic conversation, and that Peter Marshall said, 'No. No. No. No'. It is interesting to note that in the *Weekly Times* today Mr Marshall was motivated to write an opinion piece, in which he was no doubt trying to appeal to the regional readers of the *Weekly Times* and say, 'No, this is not true. This is not what we are after. It's all lies', which is just as Mr Leane told us ad nauseam during his hour-and-a-half contribution. Apparently everyone was lying but the UFU, Mr Marshall and Mr Leane. I am sure that *Hansard* will indicate that if you want to go back and look at it. Apparently, according to that side of the chamber, we are all liars. Of course the only person telling the truth is Mr Marshall, over a cup of tea or coffee with Mr Leane, who was then designated to impart Mr Marshall's views to the chamber through his wordsmithing.

What I understand is that the clauses that we believe will alter the current CFA operations in the future and place at potential risk Victorian communities include clause 36.4:

All employees covered by this agreement shall only report to operational employees under this agreement or at the rank of the DCO or CO when responding to fire alarms or incidents under this agreement.

This clause is totally unworkable and would alter the chain of command. That is one of the key issues that the volunteer fire brigade association raised. This would

in fact require two chains of command, which goes against the 2009 Black Saturday royal commission recommendations. This would mean that a volunteer captain with, say, 30 years experience could not direct a career firefighter with six months service on the fireground. So here you would have a volunteer captain with long years of service who could not direct a cadet, an intern, a trainee or a career firefighter on the fireground.

Clause 44.2.7 requires the presence of seven career firefighters on the fireground prior to the commencement of operations, save and except where agreed between the UFU and the CFA. So if we have a fire in country Victoria — let us use my little town of Birregurra as an example, which Ms Tierney would know well; it has a little local brigade with about 36 members, and I was one of them — and the brigade drags out the truck ready to put out a fire in an ashtray or a fire down the main street, they will say, ‘No. Hold it. We’ve got to have a consultation with the UFU to see if anyone can pull a hose out of the truck to douse the fire in the rubbish bin’, or wherever the fire might be.

In fact, we might have to wait until we have seven career firefighters on the fireground before our poor little CFA truck and crew can get the hose out. Meanwhile Birregurra is burning. We will have to wait for the seven career firefighters — not from Colac; they will have to come from South Barwon or from an integrated CFA fire station at Ocean Grove or somewhere like that — to support the CFA volunteers.

This is repeated again at clause 45.13. The acting chair of the board stated publicly yesterday that he understands the meaning of this clause is not to prevent the ability of volunteers to start operations but is designed to only be in outer metropolitan or major regional centres. But that is not what the clause says. The clause could be used to expand the requirement of paid firefighters in the future. If anyone reads the fire services review and the response from the UFU, they will see very plainly that that is what the UFU is seeking. This is the ulterior motive behind both these negotiations and the UFU’s objection to parts of the recommendations in the review and the argument that it is presently having with the Minister for Emergency Services, Ms Garrett, who understands that we need to have some autonomy in the CFA volunteer base as opposed to what Bill Shorten and Dan Andrews are seeking to do in trying to expedite this EBA.

The trouble with this clause and the requirement for the expansion of paid firefighters is that it will see a decrease in the number of volunteer firefighters and a

reduction in surge capacity. I know Mr Leane briefly mentioned surge capacity; I am not sure if he understands what it means. There are going to be situations where you will need more than the turnout of paid firefighters. You will need support from the volunteer firefighter base. That is where I agree with Mr Leane and Ms Hartland when they said that we are looking at the whole firefighting service and the importance of both paid and unpaid firefighters working together for a common good and a common purpose.

Under the current EBA proposal this is not going to happen, because we will find that volunteers will walk away. They will walk away if in fact their role as a volunteer firefighter is not respected in the EBA, because they are volunteers. They are not getting paid to man the fire trucks. In fact, they spend a lot of their time in towns and in community groups raising money to buy extra equipment. They spend every Sunday morning training to get their minimum skills. They love being a part of the CFA volunteer fire service, and they are very proud of what it gives. But if they feel their work is not respected or valued, they will not bother to attend any of those things and they will not be working within the community and raising money. They will not turn out every Sunday morning, and they will not respond to fire calls in times of need. That will be an absolute tragedy for regional communities like Birregurra, where I come from.

The requirement for seven firefighters will require two vehicles to respond to each incident. On the above two-vehicle scenario, a small bin fire 1 minute from the station with low to no risk will require that two vehicles and seven firefighters attend. This is what is happening out in the Metropolitan Fire Brigade’s (MFB) world. I do not know if anyone stands on Spring Street or Collins Street for any length of time, but I can tell them that every time there is an alarm, and mostly it is a false alarm, about five fire trucks turn out. I can say from bitter experience that each one of those trucks, even for a false alarm, costs about \$3500. So every time a toaster accidentally sets off a fire alarm and five MFB trucks canter down the track, under the direction of the UFU that little toaster will cost you about \$10 000. This is what the MFB, oversight by the UFU, is trying to do in country Victoria, and I can tell you that it will not gel.

Clause 45.14 requires the CFA to meet its obligation for safety and to have a minimum of four staff per appliance unless stated in schedule 1. This would increase the minimum of seven firefighters turning out to eight firefighters turning out, as most CFA stations will turn out two tankers or have one tanker and a

reserve tanker or a pumper that will require four on each vehicle. Suddenly instead of seven firefighters you are going to have eight most times. To get two fully manned trucks in Birregurra is quite a hard ask, particularly for a small fire, and when those requirements are imposed, it is going to be almost impossible for little local brigades to provide the sort of manning that will be required.

Clause 21 is one of the main clauses Mr Leane referred to. He said that of course all EBAs now and all EBAs before have required a consultative committee. That was under the terms of Fair Work Australia. That is not the point. It is about the power of veto. That is why the Volunteer Fire Brigades Victoria was concerned about that.

There are many other clauses that I could speak to, but I will allow other speakers to speak on those. I flag that CFA volunteers are not happy about the proposed EBA as it currently stands. I am pleased to see that Ms Garrett is standing her ground as Minister for Emergency Services to make sure that CFA volunteers are treated equitably and fairly. I hope the outcome of this EBA will see firefighters across the board paid a fair remuneration for their work and that there will not be any significant power shifting from the UFU across to the CFA volunteer base, which would compromise the work it has done over generations for future generations. I commend the motion to the house.

**Ms SHING** (Eastern Victoria) — I am pleased to rise today to speak on this motion. Contributions have been made by a number of members who have gone to issues that have been in the public domain for a considerable period of time now and which have taken on a life and identity of their own.

**Mr Davis** interjected.

**Ms SHING** — Deputy President, I ask that if Mr Davis has a contribution to make, he makes it from his place.

**The DEPUTY PRESIDENT** — Order! Ms Shing, to continue.

**Ms SHING** — Thank you. I note at the outset that there have been a number of contributions that have lauded the work that has been undertaken by the coalition in championing the role, the activities and the functions of volunteer firefighters around the state. To avoid any doubt whatsoever I note that Mr Leane began and ended his contribution by acknowledging the crucial work undertaken by volunteer firefighters in our communities and that Ms Hartland in her contribution also confirmed the invaluable work of volunteer

firefighters in our communities. That has been part of all the contributions that people in this place have made to date on this motion.

To that end, let us not kid ourselves that there is any division within the government about the importance of volunteers in responding to emergencies, in making sure that livestock, property and lives are, to the best extent possible, protected in the event of emergency and that call-outs and turnouts occur in a timely fashion. People often make enormous personal sacrifices at great risk to themselves and sustain physical and other injury in the course of protecting their communities. Let us not pretend for a second that this is something which is in the domain of the coalition to protect, because to do so is to engage in an indulgence of the line of attack that has been run for a cheap political purpose and for point-scoring and that has effectively been divisive and damaging to communities all over Victoria.

I know this because I represent Gippsland, and Gippsland is an area which is enormously diverse in the way in which its communities are spread, in its population centres, in the terrain and also in the needs of communities in times of crisis or emergency. It is an area which has only a couple of hundred thousand people. In population terms, that is rather small. In land size terms, in economic return terms for the state, it is enormous.

What we see in the various communities throughout Gippsland are Country Fire Authority (CFA) stations and brigades that are staffed and run by a combination of volunteer and paid firefighters. Volunteers make up a very significant proportion of these communities. They fundraise, they work with their colleagues, often in the State Emergency Service (SES) and in other agencies, they work within the communities to fundraise and to buy equipment, and they work with op shops and auxiliaries. They work in a collaborative fashion, which means that in times of emergency, when it is often nigh on impossible to secure help from a metropolitan area, regions can collaborate to share resources and to act responsively.

I have been to CFA stations heading towards the border — right out to Mallacoota. I have handed over equipment. I have presented service medals and national emergency medals to hundreds of people who have participated in the emergency relief effort and response as we have faced some of the most crucial emergency events in generations — enormous fires and enormous storms, issues which have shaken communities to their very core, issues and challenges which have tested the resilience, tested the

resourcefulness and tested the stamina of countless communities throughout Gippsland.

The areas which CFA stations cover throughout Gippsland often take hours to traverse. It is essential that the volunteers be able to get to often very remote areas to provide service and assistance. CFA volunteers are very frequently the first on the scene. The call-out rates are significant. They include road trauma and other incidents which themselves are often a source of great strain for the volunteers and for other workers who attend. In turn they provide excellent training for those volunteers who continue to make a difference. When I think about the volunteers at stations such as at Cobungra, Fish Creek, Loch Sport, and right down through to Foster, I am reminded of the isolation, which is an everyday ingredient in the way in which volunteers respond to emergency. The isolation means that there is a degree of resilience and a degree of innovation required, but most importantly that people collaborate when they are responding to emergencies.

It has been a privilege to have frank conversations with firefighters right throughout Gippsland. It is something which I actively seek out. It is important to know exactly what is required, from an operational perspective, from a systems perspective and from the perspective of the bricks and mortar that firefighters need to be able to do their work — the facilities, the equipment and the training. It is important to hear about the toll that emergency response takes on those who respond to what are often very significant events.

The Morwell mine fire was one such issue. As one could reasonably expect, the fallout from that particular emergency has been significant and ongoing. Nobody is pretending for a second that the work that is undertaken by our volunteer firefighters is not of enormous importance. I support a framework of presumptive legislation to make sure that the work and the attendant risk which is experienced by volunteers is given the appropriate level of recognition and is properly resourced. I support a fair framework of terms and conditions which recognise the role undertaken by paid firefighters.

I note that the level of appalling scuttlebutt undertaken for cheap political point-scoring purposes by those opposite — at rallies and via the front pages of various newspapers — has caused great damage. It is a matter of enormous significance that those opposite would seek to prioritise their own political gain, their own lowest common denominator narrative, over a sense of certainty for firefighters in various communities. They would seek to prioritise that and to call over 1000, as Mr Ramsay indicated, volunteers to the city to raise

concern about a negotiation which is on foot, a negotiation which this government is undertaking in good faith, as it is required to do pursuant to the Fair Work legislation.

Those opposite are fundamentally allergic to government negotiating in good faith. Those opposite, when they last occupied government, were in no position whatsoever to resolve fundamental outstanding industrial issues. They did not believe in coming to the negotiation table. They did not believe in good faith bargaining. They did not believe in being a best practice negotiator, as government is required to be. What they do believe in fundamentally though is any opportunity to demonise unions for their own cheap political purposes. That is precisely what they have done, and the cost of that has been enormous.

Despite the fact that the Andrews Labor government has committed 350 additional firefighters, despite the fact that we are implementing presumptive legislation and despite the fact that we are taking active steps to safeguard against post-traumatic stress disorder and other significant risks and injuries sustained by people in the course of discharging their duties, those opposite think that rather than looking at the way in which a good faith negotiation proceeds, it is more important to make hay out of this and to bring 1000 volunteers down to Melbourne for the purposes of whipping up a frenzy, based on misinformation and on a cheap media release or two which have fundamentally shaken communities to the core in relation to how they respond to emergencies. It is an absolute disgrace. It is an absolute disgrace that they would seek to divide communities that rely upon the combined efforts of paid and volunteer firefighters to get the job done.

This is a negotiation which is robust. Unfortunately those opposite have probably not had any experience in negotiating collective terms and conditions. They have never sat around a negotiation table. They have never understood the principles that underpin a log of claims process. They have never actually participated in good faith or with goodwill in a process that has brought in the independent umpire, the Fair Work Commission — or Fair Work Australia, as it was then known under their government. They have been unable to do that because they are fundamentally unable to do anything other than say that they will not agree. They will not agree with unions because, for their purposes, it does not fit the narrative.

The narrative, for clarity and to clear up any doubt whatsoever, is about making sure that we deliver a framework of fair terms and conditions and that we deliver on our promises to have collective agreements

which provide appropriately for standards of employment that are safe, that are fairly remunerated, that provide for improvements across the board and that provide for consultation, as they must under the federal legislative framework. Those opposite talk a foreign language when they talk about enterprise bargaining because they fundamentally do not believe in the collective. They believe in any opportunity possible to undermine the delivery of emergency services response.

I cannot underscore enough the importance of making sure that we allow this negotiation to play out its course and be resolved. There are mechanisms to do that. For those opposite to cherry-pick individual clauses is an exercise in dangerous misadventure, it is an exercise in cheap political point-scoring, it is an exercise in industrial futility and it is an exercise in sabotage of the way in which regional communities function. They do their best; I have seen it firsthand. They will continue to do their best. I look forward to continuing to support them in that. I look forward to continuing to recognise the way in which volunteers and paid firefighters step up time and time again.

I look forward to being able to see an agreement concluded between the parties and not between those who would for their own commentary-related purposes want to get a cheap headline out of it. I look forward to rallies not being organised — rallies that drag people, as Mr Ramsay indicated, up to 8 hours away from where they live — based on spurious rumours, based on nothing more than the coalition's desire to drum up a bit of support based on a puff of air, based on rumour and based on innuendo.

I look forward to seeing that union members and their representatives, recognised under the Fair Work legislation, will be in a position to have a collective agreement — as they have had for a significant period of time over many rounds of bargaining over many governments — which provides that safety net. I believe that that agreement should be and will be concluded in good faith. I believe that it will take place with the assistance of the independent umpire, that it will involve frank and robust negotiations and that it will indeed reflect a shared understanding of the intention of the parties — and not some scuttlebutt propagated by those opposite who want to be able to stand up and say that fundamentally it is our fault.

Do you know what? It is not our fault, because there is no fault; there is a negotiation on foot. Shame on anybody opposite or outside this place who would have any belief that this government does not support volunteers, because it is simply not true. We support an

outcome — we support a negotiated outcome. We support an agreement being put to a vote — as every collective agreement that is certified by the commission must be — being approved and being able to come into effect with a clear and shared understanding of its operation. We look forward to the coalition doing something more than meddle.

**Ms LOVELL** (Northern Victoria) — Well, that was quite a contribution from Ms Shing. I am sure that she has had a few acting lessons to deliver such a passionate and fantasy-filled contribution. You would think, from listening to Ms Shing, that negotiations with the United Firefighters Union (UFU) involve sitting around toadstools, holding hands and singing *Kumbaya*. I am sure they are nothing like that.

For Ms Shing's information, it was not the coalition that organised the protest on the steps of Parliament. It was the volunteers themselves who organised the protest on the steps of Parliament, and they invited members of Parliament to attend. It was Volunteer Fire Brigades Victoria that organised that rally. It was a well-attended rally, with around 400 vehicles and 1000 volunteer firefighters, who protested against Daniel Andrews's deal that would destroy the Country Fire Authority (CFA).

It is appropriate that we are having this debate today because today is actually International Firefighters Day. Today, 4 May, is the feast of St Florian, who is the patron saint of firefighters. In fact St Florian is invoked as a powerful protector of people who are in danger from fire or water, and also attributed to St Florian are many acts of healing. Let us hope that St Florian can oversee an act of healing that can heal the rift that Daniel Andrews has inflicted on the CFA, a rift between our valued volunteers — who have been volunteering in the CFA for well over 100 years — and the career firefighters.

We on this side of the chamber and the CFA volunteers actually support the career firefighters as well as the volunteers. There are hundreds of brigades in my electorate, and I have spoken to many members of them in the past couple of weeks. They have contacted me, including coming up to me at Anzac Day ceremonies, to express their distress at what Daniel Andrews intends to do to the CFA.

When the volunteers protested on the steps of Parliament unfortunately I was not able to be present. I very much wanted to be there to support our volunteer fire brigades, many of whom had travelled from my region.

**Ms Shing** interjected.

**Ms LOVELL** — Ms Shing, for your information I was actually speaking at the funeral of Uncle Sandy Atkinson, a very, very dear friend of mine, who was an elder in our Aboriginal community. That did prevent me from coming to the CFA brigades protest. My CFA members were actually appreciative of that. They knew, because they all supported Uncle Sandy as well, that that was the place I had to be on that day, and they knew that in spirit I was with them on the steps of Parliament.

I have had a long association with the CFA in my electorate, particularly with the Shepparton brigade, which is actually an integrated station and has been since the 1970s. There have been ups and downs in relationships there. When the career firefighters first arrived in the 1970s that was a big change that was very difficult for the volunteers to accept. They got over that change and things were harmonious. Over the years there have been times when things have been very harmonious and everyone has got along and there have been times when relationships between volunteers and career firefighters have been strained. We had such an incident just a couple of years ago when there were some disagreements over the brigade-owned vehicles being allowed onto the floor in the truck room, but largely it works.

That is because the volunteers are dedicated to keeping our community safe. They understand that in our really large regional cities such as Bendigo, Ballarat, Shepparton and Wodonga and in Sunbury we do need integrated stations. We need career firefighters to be there all the time — but we also need our volunteers to back them up. We would not have fire brigades in country Victoria if it were not for the volunteers. There are hundreds and hundreds of stations that are fully volunteer stations. This state government, even with the rivers of gold that it has coming into the budget this year, could not afford to provide a firefighting service in country Victoria without the volunteers.

As I said, the volunteers do support their career firefighting colleagues and they really support them. Actually the first thing they always say when they talk to you about this enterprise bargaining agreement (EBA) deal with Daniel Andrews is, ‘This is not about the EBA. We fully support the UFU being able to negotiate fair and reasonable pay and conditions in the EBA for our career firefighting colleagues’. What they do not support is an EBA that goes beyond that, that impacts on the volunteers in the CFA.

This motion actually sets out the many ways that this particular EBA negotiation — if Daniel Andrews goes ahead with his secret deal with the UFU — will impact on the volunteers. The claim to have seven career firefighters on the ground before a volunteer firefighter hits the ground is absolutely ridiculous. Would the members of the volunteer fire brigade in Romsey wait for more than half an hour for the career firefighters to arrive from Sunbury before starting to fight a fire? Would they sit there watching a home burn to the ground while they waited for 35 minutes for the career firefighters to arrive? Even when they did arrive, there would not be enough of them, as there are only four on a shift in Sunbury. I think that in Shepparton we have six on a shift. So is this a grab by the UFU for the recruitment of more career firefighters into the integrated stations that exist at the moment, rather than anything about safety or professionalism in firefighting?

There are other things that they are concerned about. The thing that they are most concerned about is the right of veto over decisions of the CEO and the board of the CFA — the right to have a veto over the allocation of trucks and the allocation of uniforms and other decisions that are made by the board and the CEO. That is totally unworkable. The CFA will not be able to operate if the UFU has a right of veto over the decisions of the board and CEO.

Another thing that the volunteers are completely against is the decision to have two separate chains of command on a fireground. That would be unworkable, and we would be going back to the days when, as we have seen in the past, there was no cooperation between the CFA and other government firefighting organisations. We have learnt from fires over the years that we need to have one chain of command and to have everybody working together, not separately, on a fireground. We cannot do that without our volunteers. It would make no sense whatsoever to sideline a volunteer firefighter with 30 years experience of fighting wildfires in the high country while a career firefighter with little experience in that particular locality headed the chain of command. We need the people who are experienced, who know the local terrain and who know how the fires run in those terrains to be the ones in charge.

As I said before, we cannot do without our volunteers. We would not have a fire brigade in Victoria if it were not for the volunteers. My personal association with the fire brigade in Shepparton goes back to when I was quite young. My father’s friends were volunteers, then a few of my own friends were volunteers and now their children are volunteers there. I still have a very close association with that particular brigade as well as with

the Mooroopna brigade, but also over the years I have been a member of Parliament I have come to know many of the brigades throughout my electorate.

I remember back in 2002 standing in Eldorado when I was first campaigning to become a member of Parliament. It was at the time when the Bracks government had just introduced new national park boundaries for the box-ironbark national park up there and it had brought that boundary right down into the town of Eldorado. The people of Eldorado told Tony Plowman, Robert Doyle and me, 'We just want a sensible boundary to take the firebreak back to the top of the ridge outside of our town'. Not long after that, in about the first week of 2003, I was in Beechworth to have my first meeting with the Indigo Shire Council. I was sitting in my car outside the bakery and I looked out the window and saw this strange puff of smoke, and my heart sank because I immediately knew from the direction of that puff of smoke that it was coming from Eldorado.

That day I did not think I would get home to Shepparton from Beechworth because of the fires. These were the alpine fires of 2003. They actually circled the township of Beechworth that day, and it was quite late in the evening before I was able to drive back to Shepparton. That was my induction into Parliament. It was what I refer to as my baptism of fire, because within just a few days of being elected my own electorate was ablaze with the worst bushfires since 1939. I learnt a lot from that fire. That particular fire was one where we did not have a great deal of cooperation between the different firefighting agencies and other emergency services, and a lot of work has been done on that since.

I also remember early in 2003 sitting at my new desk in my electorate office, looking out the window and seeing a puff of smoke coming from the direction of my home. When I rushed home I found out that some young kids had been onto the island that sits in the river behind my house and had set fire to it. Elections and disasters have become a little bit interwoven for me because in 2003, after the election in late 2002, we had those fires, and it happened again in 2006 just after the election. We were actually sitting here in Parliament the week before Christmas, and my mother rang to tell me there were 22 fire trucks in my backyard because once again the island at the back of our place had been set alight. That was also the year of the great alpine fires, and they again devastated much of the north-east of our state and also Gippsland.

In 2009 we had the Black Saturday fires, and they were the worst fires that this state has ever seen. We lost over

200 people and nearly 1000 homes and sheds that day. It was a horrific day for this state, but it was a horrific few months for those of us who were members of Parliament representing that region. I saw and heard in those first few days things that I never want to see or hear again. It was an interesting time. I used to go home and talk to my sister, who lives next door, about what had happened during the day. One day we were talking about a family that had been displaced and the mother had been saying that she just wanted to get back into her home when her children started screaming that the fire would come back and get them if they went back home.

That is when I realised that those children had gone through very similar experiences to what children must have gone through during the bombing of London, and the post-traumatic stress disorder that those children will carry with them for life will be horrific. We learnt that day that we also had to be careful about even talking about the events that those children went through, because my then five-year-old nephew suddenly appeared with a big box of his toys packed up and said, 'Are you going back there tomorrow? Can you take these toys to those children who are crying?', and we realised that we probably should not have been talking about those events in front of him.

On that day in 2009 I lost personal friends in that fire. I lost branch members. There were horrific hours when we did not know who had survived in Marysville and Buxton, and I remember going through that with a good friend of mine, Fran Bailey, who was the federal member. Fran and I would ring each other to see if we had heard of people that we knew in that area and whether they were safe. I remember going to Buxton about three days after the fire and driving up to the front of one of our branch members' homes. They were just sitting there having a cup of tea in the kitchen, and I have never been so pleased in my life to see a couple of branch members as I was to see George and Margaret on that day. Unfortunately for some of our other branch members that was not to be the case, and very sadly we lost four of our branch members in those fires.

There are also firefighters who die in fires, and we thank every single volunteer firefighter and career firefighter who put their lives on the line to protect all of us. In 2006 during the great alpine fires we lost Trevor Day and Rebecca Helwig, both volunteers from the Campbells Creek fire brigade. That was a horrific time for our community, dealing with the loss of those people who had gone out and put their lives on the line to protect the rest of us.

Equality is important when it comes to dealing with our firefighters, whether they be career firefighters or volunteer firefighters. I would hope that when this government eventually does bring forward the presumptive legislation around cancer, equality is given to volunteers and we do not see a two-tier system that sees career firefighters get a much more rolled-gold guarantee than the volunteer firefighters receive. There should be no difference in the conditions in relation to who qualifies for compensation. It should be equal whether you are a paid career firefighter or a volunteer firefighter.

I am concerned that Daniel Andrews is damaging the CFA. He is damaging the relationship between our career firefighters and our volunteer firefighters. I find it amazing that people like Ms Shing can stand up and defend this position. It is indefensible to actually defend the actions of the Premier in sidelining a minister. I actually applaud Jane Garrett, the Minister for Emergency Services, for standing her ground and standing up to this Premier who would cave into a union that would destroy a very proud volunteer-based firefighting association, one that is renowned worldwide.

I thank Mr O'Donohue for bringing this motion to the house so that we can all stand here and say how we support our volunteer firefighters and our career firefighters. We want a harmonious firefighting service going forward. We want to see fair remuneration and conditions for career firefighters, but we do not want to see conditions gained for career firefighters at the expense of volunteer firefighters. We do not want to see that wedge driven between our firefighters. I congratulate Mr O'Donohue for bringing forward this motion today. I commend it to the house.

**Mr MORRIS** (Western Victoria) — It is with great pleasure that I rise to speak in support of Mr O'Donohue's motion, because it is incredibly important that we do recognise the incredible work that our Country Fire Authority (CFA) volunteers do. Indeed the CFA, I must say, is one of the most remarkable volunteer organisations not just in Victoria, not just in Australia, but in the world. I certainly believe that we should do all that we can to recognise and thank our CFA volunteers for the great work they do. They place themselves in dangerous situations to ensure the preservation of life and property across our state, day in and day out.

I was reflecting back just a little while to my maiden speech —

**Ms Shing** — Inaugural speech.

**Mr MORRIS** — No, maiden speech, Ms Shing. In my maiden speech I made reference to the fact that volunteers are the lifeblood of our community and that throughout the year volunteers such as our CFA volunteers give their time to ensure that our community is safe, even on weekends and holidays, indeed even on Christmas Day. On Christmas Day, when some may have been snoozing on the couch after a hearty meal of pork, turkey and ham, accompanied by a couple of beverages, our CFA volunteers, well, where were they?

**Ms Crozier** — Wye River.

**Mr MORRIS** — Our CFA volunteers were out in places like Wye River. Indeed, Ms Crozier, they were out at Wye River. That is where they were on Christmas Day just last year. They were saving lives and saving homes.

They were in Separation Creek, where they were also saving lives and saving homes on Christmas Day last year. They turn up, they are unpaid and they are committed and passionate community members. They are committed to volunteering for our community to ensure that people's homes, people's lives and people's livelihoods are saved, as they did on Christmas Day last year. Indeed in western Victoria we have hundreds, literally hundreds, of CFA brigades that keep our communities exceptionally safe. What do our CFA volunteers ask for? All they ask for is some respect. It is unfortunate — it is incredibly unfortunate — that this government refuses to give them even that.

What we have seen is that the Andrews Labor government plans to destroy the CFA just so that it can appease its union mates like Mr Marshall, these people who stood at polling booths intimidating and bullying candidates at the 2014 election. These United Firefighters Union (UFU) members intimidated candidates and intimidated voters at the 2014 election in order to aid this government to get elected. Indeed it was Peter Marshall, the secretary of the UFU, who told Bill Shorten that the UFU would campaign against the federal Labor Party if the enterprise bargaining agreement (EBA) was not sorted out.

So what did Bill Shorten do? He got on the blower to Daniel Andrews and said, 'You need to get this sorted out so that the UFU does not campaign against us come the federal election'. What did Daniel Andrews do? He went along and sidelined his minister, who was trying to stand up for the CFA and trying to protect our volunteers from the UFU in resolving this EBA. What we are seeing is that Daniel Andrews, Bill Shorten and Mr Leane's good friend Mr Marshall are actively trying to destroy the CFA. The CFA is the same institution

that keeps our families, our friends and our community safe in times of need.

The CFA does not just protect our communities during the bushfire season. It protects our communities throughout the year, attending structure fires, car accidents and the list goes on. In spite of this, we still see that Labor and Daniel Andrews are attempting to destroy the CFA by handing over control of this volunteer organisation to the UFU, and this can only be described as shameful behaviour from a shameful government.

In stark contrast to what the Labor Party is trying to do, we on this side of the house thank our CFA volunteers. We thank them for the time they give and we thank them for placing themselves in harm's way for the greater good of our community. Indeed we thank them, and unlike Daniel Andrews and unlike Labor, we will stand in support of the CFA. We will stand in support of the CFA, which protects our community in our time of need. That is what I can say to CFA volunteers across the great state of Victoria — that unlike the Andrews Labor government, the coalition, the Liberals and the National Party, are here to support the work that they do, and we will certainly be standing behind them every step of the way.

On that point I will draw my contribution to a close, but I am indeed very pleased to be able to stand in support of Mr O'Donohue's exceptionally important motion that we are here debating today.

**The ACTING PRESIDENT (Mr Ramsay)** — Order! Just before I call the next speaker, I ask for a little bit more quiet in the chamber. We have six different conversations going on, and I know Mr Morris had to start to perhaps lift the decibels just a tad. Mr Leane is still talking, even though I am indicating that there is too much talk in the chamber. I guess if members want conversations, they can have them outside.

**Ms BATH** (Eastern Victoria) — It is with sincerity that I rise this afternoon to speak on Mr O'Donohue's very good motion, which acknowledges the selfless and courageous work of the brave men and women of the Victorian Country Fire Authority (CFA), one of the most remarkable volunteer organisations in the world. I would like to bring up some of the historical aspects of the CFA. CFA volunteers, as we have heard today, have a proud history of standing up for Victorians against great adversity, often at their own personal risk. A royal commission into the 1939 bushfires, which were a disaster really back then, recommended that a single firefighting authority for Victoria be established,

bringing together the then bushfire brigades — the country fire brigades and the Forests Commission. This was the birth of the Country Fire Authority, which came into existence in 1945. Over the years, through technology improvements and capacity improvements, the equipment has become more specialised and there has been greater effect in terms of capacity of the CFA.

In terms of my own experience, growing up on a dairy farm 5 kilometres outside of Fish Creek we actually had an outside toilet, and when one went out there and it happened to be 7.15 on a Monday night one could hear crystal clear across the paddocks the siren of the Fish Creek CFA brigade, led by Mr Pulham, practising to make sure that all was in readiness in case of an emergency. That continues on and has continued across various small country towns' Country Fire Authority brigades practising and getting ready for an emergency. That has occurred since 1945, although I was not there at the time.

One of the other terrible experiences that I can recall was in 1983 when the Ash Wednesday fires occurred on 16 February and swept through much of Victoria killing 75 people, including 13 firefighters. We had family friends who lived at Beaconsfield Upper, and I can still remember the shock and horror of them saying how their house was protected by the CFA, which was tremendous, but also how houses around them were lost and a CFA volunteer perished at the house beside theirs, and the shock and horror that they had to live through to survive.

The next experience on my behalf in relation to fires was as a teacher at Mirboo North Secondary College. On the Friday before the Black Saturday fires in 2009 we all went to school. We were able to access the school, and I remember standing in the auditorium of that school with the community members of Mirboo North standing in there and people crying. The CFA was up the front supporting, giving directions, giving hope and giving commands as to how people should respond, which meant in many cases packing up their goods and removing themselves to safety. They were the guiding light, along with the police force and the State Emergency Service, supporting people in those towns in Gippsland.

From the 2009 Black Saturday tragedy many lessons were learnt, and I note that there was great bipartisan acceptance of the 2009 Victorian Bushfires Royal Commission recommendations to improve the work done in relation to firefighting following that disaster. In 2011 the latest volunteer charter was signed by the then Premier, the Honourable Ted Baillieu; the then Minister for Police and Emergency Services, the

Honourable Peter Ryan; the then president of Volunteer Fire Brigades Victoria (VFBV), Mr van Hamond; and the then CFA chair, Mr Murphy.

I have a photocopy of it with small writing before me, and I would just like to read a couple of little passages out of the volunteer charter. The volunteer charter says that it:

... is an agreed commitment by the state of Victoria, CFA and VFBV on behalf of CFA volunteers —

and ensures that —

... the state of Victoria and CFA will commit to consultation with volunteers about all matters which might reasonably be expected to affect volunteers;

provides the framework for the three-way relationship between the parties, requiring the success of the relationship and the outcomes from the charter to be judged against the following principles:

Is it fair?

Is it just?

Is it reasonable?

Does it discriminate against volunteers?

Is the outcome practicable ...

Is it in the best interest of the safety of the Victorian community?

That is in the charter of the CFA. The last comment from the charter I would like to read is:

The government of Victoria recognises and acknowledges the volunteers' commitment. The state of Victoria will provide support to the volunteers subject to the following principles ...

The one principle that I will read is:

Consult with the elected representatives of volunteers on all matters which may impact upon volunteers including proposed legislation and the adequacy of resources to enable volunteers in CFA to deliver the agreed services.

We have heard today that the CFA has 60 000 strong volunteers. We have heard that there are approximately 1800 career firefighters, there are community educators and support staff, and there are 20 districts and approximately 8 regions across Victoria. In my electorate within Gippsland there are roughly 160 fire stations.

We know that the CFA is the backbone of many of our small communities. It is comprised of men and women, mums and dads, who are working to support their communities. They are embedded in their communities for the good of their communities. This brings a special

entity for each individual fire station and brigade, because each group of people provides its own expertise. There could be the builder who understands in a house fire how that house collapses and understands the structural mechanism by which a fire may attack a house. There will be a chemist there or someone working in industry who will have an in-depth understanding around chemicals, as well as the comprehensive training that is undertaken throughout their operations within the CFA.

The other comment I would like to make in relation to the second part of Mr O'Donohue's motion is that both I personally and — I have heard it across the board today — the coalition support career firefighters and support people getting a fair day's pay for a fair day's work. We support good working conditions, and the enterprise bargaining agreement is an important part of securing a good workplace and job security.

In my role as a member for Eastern Victoria Region it is my job to listen to constituents within my electorate. I have had many, many face-to-face discussions and I have been contacted through emails and by telephone. I would like to read a couple of items because they encapsulate the feelings of many constituents. One wrote:

Two years ago my house and farm burned down while I was trying to protect my district from a bushfire in my role as a CFA volunteer. While I was on the tanker fighting the fire my family lost everything — our house, possessions, sheds, pets, yards, livestock, pasture and about 30 kilometres of fencing. Fortunately my wife and daughter escaped. We are still slowly rebuilding the house while trying to restore the farm.

The fire that so dramatically impacted my family went from a plume of smoke to a conflagration which caused spot fires over 10 kilometres away within 30 minutes. In under 2 hours the fire devoured 6500 hectares, three homes and countless livestock, fences and pasture.

The nearest paid firefighters to my district are over 2 hours away. If our district had had to wait for paid firefighters to turn up two years ago, most of East Gippsland's towns would have been destroyed.

I will drop down a little bit:

The VFBV talks about the volunteers providing 'surge capability' in fighting fires — that's rubbish.

So says my constituent.

Throughout most of Victoria volunteers provide the only firefighting capability!

The paid firefighters comprise only a tiny fraction of a percentage of the firefighting capacity of the CFA, but they are holding the entire state of Victoria to ransom. You can be certain that even if the log of claims is negotiated down on this occasion, the UFU will use the same tactic every time it

wants more money, a seat in Parliament, unlimited budget, more opulent conditions.

That is a quote from my constituent. The constituent finishes with:

I request that you look after your electorate's ... interests and oppose the UFU's childish and unreasonable demands. It is time for our political 'leaders' to show some bottle. In the worst possible scenario there are plenty of volunteers who could do the UFU members' jobs if they quit or went on strike.

That was one contribution from a constituent, and I will finish with another:

I am a proud volunteer firefighter with almost 40 years experience with the CFA ...

I have no issues with paid firefighters getting appropriate remuneration and working conditions but have grave concerns when EBA conditions have any negative impact on volunteer rights and conditions or the way they work with their career firefighter colleagues. The CFA is a volunteer emergency service that is supported by paid staff.

This person goes on, then finishes with:

Pay the permanent staff well and ensure they have good working conditions. Do not allow the UFU to affect volunteer capacity. If you do, this will be at the peril of the state.

In conclusion, and I will not continue on too far longer, in reiterating the charter — 'Is it fair? Is it just? Is it reasonable?' — I hope that the Premier, I hope that the minister and I hope that the particular elements and parties can come to a sensible EBA agreement that respects and supports the Country Fire Authority and that keeps it remaining as an independent and autonomous body so that the CFA in turn can do what it does best, which is protecting our lives, protecting our homes and protecting our communities, and long may it do so into the future.

**Ms CROZIER** (Southern Metropolitan) — It is my pleasure to be able to rise and make a brief contribution to this excellent motion of Mr O'Donohue's. I want to just read the motion again to remind the chamber of what Mr O'Donohue has given notice of:

That this house —

- (1) acknowledges the selfless and courageous work of the brave men and women of the Victorian CFA, one of the most remarkable volunteer organisations in the world; and
- (2) calls on the government to reject any United Firefighters Union (UFU) EBA claim that —
  - (a) allows the UFU to direct or impede CFA activities;
  - (b) undermines the autonomy of CFA volunteer firefighters;

(c) impacts upon the rights of CFA volunteer firefighters, including through the volunteers charter; and

(d) leads to a reduction in surge capacity of the CFA to respond to major events.

As we have heard throughout today, there have been some excellent contributions by members on this side of house really expressing the great concern that they are hearing from many, many members within their communities who are indeed Country Fire Authority (CFA) volunteers. I am someone who represents a metropolitan seat that does not have a CFA branch in it, and I am someone who grew up in country Victoria and moved to Melbourne. Like many, many other people in metropolitan Melbourne, I have a connection to country Victoria and I have family and friends who are CFA volunteers.

The CFA is a voluntary organisation in a firefighting capacity that is the envy of other firefighting units in the world. As I said, it is an extraordinary volunteer organisation, and to have it undermined in the way it has been and to have threats by a dominant union come in over the top of so many volunteers is quite extraordinary.

My family has a long history of serving with the CFA — decades of service to the CFA. My father was a member for many, many years before he retired to the coast. One of my brothers has been a 45-year member. He is an active member of the CFA. He works with the CFA on his days off when he returns from his work in the States. He is well known throughout the CFA community, so much so that when I was on the pre-poll booth at Bentleigh with the United Firefighters Union members, whoever they were, getting up there campaigning for the Labor Party, they all knew about the work he had done as a CFA member, as a CFA volunteer and as somebody who has fought in every single major fire in this state since the 1970s, including of course the ones that we all have heard about today: Ash Wednesday, the fires during the 2000s and Black Saturday. As I said, my family has a history of fighting fires in country Victoria, such as the 1939 fires, which my father recalls so terribly well, with friends whose properties were lost in that fire; the Ash Wednesday fires with friends' properties lost in that fire; and Black Saturday where so many properties and lives were lost.

This organisation that we are speaking about in this motion that we are debating here in the house today is incredibly important to many members of the community. What is extraordinary is that interference by government in this agency is completely unheard of in this state. That is why CFA volunteers are very

concerned about the government's actions and they are very concerned about the union's actions in terms of what they are proposing to do in their enterprise bargaining agreement (EBA). I will not go into the details of that, but I want to put on the record that everybody admires the work of the CFA, of our volunteers and of the many volunteer organisations across the state. The value that those volunteers give to those organisations is immense. You cannot put a value on that, whether it is the Red Cross, the CFA or the State Emergency Service. The absolute notion of having union domination and interference in this organisation is something that all Victorians are — as I think they are — very, very concerned about given the EBA terms proposed by the union.

As I said, the unions did a very good job in bringing the government to power in 2014. They were in the sandbelt seats, where unfortunately we lost — and how we lost — government. They did a very good job of scaring a lot of people at those pre-poll booths. I was there; I listened to them. I had to listen to them, and quite frankly the messages on fire trucks were completely unnecessary and unfounded, and completely out of order, if you like. I am very pleased that the report that was handed down yesterday on the inquiry into the conduct of the 2014 Victorian state election actually makes mention of the conduct of some of these people who were at the polling booths on polling day. I do not want to confuse that issue with what we are talking about here, but I make the point that union domination of firefighters is not wanted within the CFA.

Minister Garrett is standing up for the volunteers, and I commend her for that. What I think is quite fascinating is the direct contrast with how the Premier has reacted. I watched him in question time a few weeks ago when this issue was put to Minister Garrett and clearly he was not happy with the minister's answers and conduct. I will be very fascinated to see how that plays out in days to come.

In conclusion, I commend again Mr O'Donohue for bringing this very important motion to the house. This is an extremely important issue and I, like many members, support our CFA volunteers. I want to commend them for the work they do, day in and day out, protecting Victorians right across the state.

**Mr DRUM** (Northern Victoria) — I too would like to congratulate Mr O'Donohue for bringing this motion to the house, and I would also like to thank the member for Gembrook in the other place, Brad Battin, who has been at the forefront of this particular issue and giving the volunteer base an ear in this Parliament as someone

who will listen to them and will then go away and help them and help to advocate on their behalf.

There was no doubt when I was listening to Ms Shing's contribution that she was making this out to be nothing other than a standard, ordinary enterprise bargaining agreement. This has got very little, if anything at all, to do with money. This is purely a power grab. Those of us who have been in this job for quite a number of years have been able to feel the tension in the thousands of volunteers that we talk to on an ongoing basis as part of our work; feel that genuine tension and in a sense a lot of resentment about the way that they are continually treated by the paid or career firefighters.

Simply what has happened in this instance is a backroom, sweetheart deal has taken place. Good luck to the Labor Party. It backed a winner, it got a heap of support and having people in firefighters' uniforms campaigning solely on the basis of 'Put the Liberals last' in key electorates paid dividends for it. Good on the Labor Party if that is how it wants to conduct politics, but let us not kid around here: this is simply payback time. The demands that have come in from the United Firefighters Union (UFU), from Peter Marshall and his group, are quite staggering and, as I said earlier, it has got little to do with money. This is all about a power grab.

If you insist that the chain of command be totally thrown away and that it does not matter whether you are a 30-year captain with a brigade or whether you are a six-month rookie paid firefighter, all of a sudden the chain of command will be turned upside down. You are going to have people fighting fires, trying to save lives and trying to save people's property, and you are going to have experts in the local terrain, experts in the local wind and rain conditions and all of the local conditions, but their opinion and their experience is going to be usurped by some green young recruit in the professional field who is going to outrank these 30-year captains simply because they are a professional firefighter, even though they may have absolutely no experience on the ground.

As these types of clauses get added to the enterprise bargaining agreement you can see exactly where the UFU is angling to go in this regard. This whole concept of having to turn out two vehicles and a minimum of seven firefighters effectively means you are going to have to have eight paid firefighters attend every call-out. The concept of the volunteers being made to sit there and babysit the fire until the paid firefighters turn up is absolutely ludicrous. What we have here is something that we can all see clearly with our own eyes in terms of what is going on. We do not need to be

hoodwinked. We do not need to be told that this is just another enterprise bargaining agreement and that there is nothing unusual about people trying to get a pay rise. This has nothing to do with that whatsoever.

We have now seen this escalate to a situation where the Premier is realising that this is hurting him politically. As I have said a few times in this place, what we are experiencing now under Labor is the most political government we have ever seen. In regard to these big decisions, where the Premier is going to come over the top of his emergency services minister, this is only happening for one reason and one reason alone: those opposite know that this dispute is hurting them in the polls. They know that this dispute is going to really fracture their hold on marginal seats. So all of a sudden the Premier has escalated the urgency of this enterprise bargaining agreement, and he is about to try to deliver whatever he can to the UFU.

There is no doubt that he is dealing with the most militant of all the unions. There is no doubt that when the Auditor-General did an investigation into the emergency services it was the firefighters who came out the worst of all the emergency services — worse than the ambos, worse than the paramedics and worse than the police — in relation to one area: unplanned leave. As we know, the average lot of a paid firefighter is big shifts — 12-hour shifts through the day or night. Therefore they can rack up their 48 hours of work by doing four days or four nights. Then they have three days off, and back in again they come. But on top of those three days off, and sometimes four, every member then has an average of 16 shifts, or 16 times 12 hours, where they do not turn up. This is over and above their holiday pay, over and above their sick pay.

The Auditor-General found that there were an additional 16 days where the professional firefighters simply called in unavailable. The accusation in the Auditor-General's report is that this is done in a calculated manner, because they know that there will be an associate of theirs, probably known to the person calling in sick, ready to take that shift at double time. And on it goes. If everybody calls in unavailable for 16 days over and above their time off, over and above their sick pay and over and above their holiday time — if everyone calls in 16 days as unavailable — that is an additional 16 shifts that somebody else is called in for at a penalty rate. This places an enormous cost onto the taxpayer.

This is a system where the unions have been not wanting to try to fix this culture. This has been an issue that the administration has been unable to fix. It might be said that this same problem once existed within

Victoria Police, and it no longer exists. It is amazing what a police union — Police Association Victoria — can do in conjunction with a hierarchy that wants to create a better culture. It seems as though that culture within the UFU has no desire for improvement. It seems to be about saying, 'We're going to grab whatever we can get at whatever cost. And along the way what we want to do is decimate the volunteer base so that there will be an even greater reliance on the paid firefighting fraternity within the CFA and the Metropolitan Fire Brigade'.

That is fine if that is what the union wants to do, but let us not pretend otherwise and say that this is somehow or other just another normal enterprise bargaining agreement. If people want to stipulate these rules about the volunteers not being able to work until the paid firefighters turn up — if that is what they want to do — let us put it out there, let us be loud about it and let us be proud about what we are asking here. If there has to be a whole range of other agreements and clauses within these arrangements, then that is fine also, but let us not pretend that it is anything other than what we see it as being — an absolute push for power.

It also now has got to the totally unacceptable situation where a minister who is well regarded by the volunteer base seems to have been totally overshadowed and locked away from comment by the Premier of the day. This is quite staggering. We simply have a situation now where the Premier has clearly lost confidence in his minister. Otherwise he would not have thrown himself into the pointy end of the negotiations. It is a situation where a minister who is highly respected by the volunteers has now effectively been sidelined and pushed to one side. We have a whole interested public sitting back now, looking at this arrangement, looking at these negotiations, going, 'What on earth is going to happen now?'. Is it going to be the Premier who buckles, who gives in and lets the minister responsible continue with the negotiations at her pace? Is it going to be the Premier who puts his fist down and says to the minister, 'You're irrelevant now. We are not listening to you. I will finish off these negotiations', ultimately giving the UFU whatever it is that it wants? Or is it going to be some compromise in-between, where both the minister and the Premier are going to come away unable to deliver what they started out to deliver and what the Premier promised both the UFU and the people of Victoria?

So we are already into this totally untenable situation. We are sitting back trying to work out what on earth is going on behind the scenes. All we know is that we have 60 000 volunteers around the state, and they are the ones that we call on not just when there are fires but

also when there are floods, earthquakes or storm damage. In any emergency we call on the Country Fire Authority (CFA) to come out and help communities, with or without their trucks and sometimes just for their sheer manpower. We are relying on them all the time to help us in our time of need. This is one time — the only time in 14 years that I have been in this place — when CFA volunteers have put up their hands and said, ‘We need some help from everybody else, because we now have a situation where our own are trying to do us in’. It is a horrible situation. We have 60 000 volunteers who are now united against their own administration, and this is something that has led to the very, very sad and sorry situation that we currently have.

I want to thank Brad Battin, the member for Gembrook in the Assembly, for the work he has been doing and Ed O’Donohue for bringing this motion to the chamber. It needs to be debated using plain-speaking English words. We need to make sure that we pull no punches in relation to telling the people of Victoria what in fact is going on within this negotiation. It is a power grab from the unions, it is a power grab from the paid professional firefighters, and the people who are going to lose out are the 5, 10, 20, 30, 40 and 50-year veterans. We often go along to the medal presentations, and we see the proudest people ever in our community, because they have been giving week after week, year after year so that we can live in a community that is a little bit safer.

We need to support the firefighters. We need a harmonious fire service. We do not need this two-tier system. We need to have a total overhaul of the paid section of the CFA and the Metropolitan Fire Brigade so that we can actually end up with a harmonious and a collective firefighting group, not this disjointed fire service that we have at the moment.

**Mr FINN** (Western Metropolitan) — It does give me a great deal of pleasure to speak on a motion that has been put to this house today by Mr O’Donohue, because I think it is an extremely important motion. I have stated many, many times over the years my admiration for the men and women of the Country Fire Authority (CFA). It is an organisation that is not just the backbone of any community.

**Mr Drum** — The footy club.

**Mr FINN** — The footy club is too, but Mr Drum will find quite often that the footy club and the CFA are very much interchangeable in many areas. But the fact of the matter is that the CFA can often dictate who lives and who dies in a community.

I live just around the corner from a CFA station. They are very busy. I hear the siren going off at all times of the day and night, and a few minutes later I hear the truck heading off to an incident. They do not just go to fires; they go to all sorts of traumas, all sorts of road accidents and all sorts of clean-ups. These people are very committed community people. To see what we have seen over recent times is, I have to say, probably the worst of all the appalling abominations that this government has committed. To sell out the CFA, and particularly to sell out the volunteers of the CFA as this Premier — I do not say government; I say Premier — has done is despicable.

**Mr Leane** — But it’s not true.

**Mr FINN** — It is despicable. Mr Leane is over there. He is saying, ‘It’s not true. It’s not true’. I heard his contribution earlier. Interestingly enough he did not quote the Premier. He certainly did not quote the minister. Who did he quote? He quoted the head of the United Firefighters Union (UFU), Mr Marshall. I would not trust Mr Marshall as far as I could throw him. I have seen Mr Marshall in action before. I remember some years ago when I was a candidate for this place. I was at a meeting at Sunshine one night when we were discussing the proposed indoor swimming pool in Sunshine. Justin Madden, who was then the sports minister, sent along Mr Marshall as a — well, let us say —

**Mrs Peulich** — Enforcer?

**Mr FINN** — Yes, ‘enforcer’ is a very good word, Mrs Peulich. I saw this individual firsthand. I did not know him from Adam at that point in time, but I saw the way he interacted with people. I saw him being a bully. I saw him acting in a very threatening manner.

**Ms Crozier** interjected.

**Mr FINN** — This is Comrade Marshall, Ms Crozier. So it does not surprise me to hear what the UFU is trying to do to the CFA. There is no doubt that the UFU is trying to control the CFA; there is no doubt about that, and Mr Leane knows that. Honestly, to come in here and use as your basis the word of Marshall; good God, what is the country coming to? Could anyone take anybody seriously who comes in here and uses Peter Marshall as a basis for their argument? That is just a nonsense.

It has been a matter of record for 20-odd years that Peter Marshall and the UFU have wanted to smash the volunteers in the CFA. That is a fact. Nobody can dispute that. And here they are with the Premier in their pocket, and we well know why they have the Premier

in their pocket. Firstly, the Premier of this state is a hardline, left-wing ideologue — the most left-wing, hardline ideologue we have ever had in the office of Premier in this state. He makes Joan Kirner look like a moderate. That is the fact of the matter.

Secondly, this attempt by the Premier to destroy the CFA as we know it is a payback for what the UFU did for the ALP in the lead-up to the last election. We all know what happened in marginal seats and indeed in some safe seats prior to the last election. We saw people dressed in firemen's uniforms going around on fire trucks intimidating, threatening and bullying people at polling booths and at street stalls. Wherever opponents of the ALP were gathered, these people would appear and make their presence felt in a way that was most unsavoury. Of course we well remember seeing at the last election the ALP how-to-vote card that featured a fireman on it.

The fact of the matter is that Daniel Andrews — Dodgy Dan, the Premier of this state — owes the UFU big time, and this is a part of the payback. He is giving to Peter Marshall something that Marshall has always coveted. He has always wanted to control the CFA. He has always wanted to control the personnel within the CFA, and the volunteer network in the CFA has prevented him from doing that. So what does the Premier do for Peter Marshall? He gets rid of the volunteers. For the Premier of Victoria to do that, I say, is a disgrace. It is not just a disgrace; it puts the lives of Victorians at risk, because without the work that the CFA does week in, week out but particularly during the summer periods, and without the presence of CFA volunteers, many more Victorians would die in fires. We live in one of the most fire-prone areas on earth. Without the CFA volunteers, we would not have a hope in hell of fighting those fires that we are faced with on a yearly basis. It is an annual thing. We have good fire seasons, we have bad fire seasons, but we always have a fire season. We need those CFA volunteers.

Here we have the Premier of this state coming in and attempting to smash a network which has been protecting Victorians for generations. It is not just about mistreating the volunteers; it is not just about regarding the volunteers as being unimportant, as clearly the Premier does; it is about protecting the people of Victoria. I know in my own situation — I am not in a particularly fire-prone area — it is good to know that the CFA station is not far away, because if a grassfire got going near where I am, it could get nasty. There are so many people who are in that situation. Wyndham is bad; up around Sunbury and Bulla is bad. Constantly there are fires around Sunbury; we lose houses every year around Sunbury. That is something that clearly the

Premier does not care about. What he does care about is pleasing his mates. What he does care about is looking after his union buddies in the UFU, in this particular instance.

What the Premier also does not care about is his own minister. We have seen that. I have to say that what the Premier is doing to Ms Garrett should not surprise anyone given what he has previously done to Mr Somyurek. I suppose it is pretty mild by Daniel Andrews's standards. It is still a disgrace that a Premier would just turf a minister to one side and say, 'You don't matter'. I do not know how this government is going to resolve this issue. I do not know how its members can all sit in the same cabinet room. I do not know how they can all sit in the same caucus, because we know that the hatreds within the ALP are very much alive, do we not, Mr Leane? We know that the hatreds within the ALP are very much alive, but this is an issue that has brought them to the surface. This is an issue where they are bubbling over at the sides. Here we have a Premier who has dismissed his minister totally out of hand and has told his minister that she, her advice and her stand on these issues are just not required. It is just extraordinary. What it comes down to is protecting the lives and the property of Victorians.

One of my very first memories was of the Cressy fires, which I think were back in 1967. My father was off fighting the fires, and my mother cooked a batch of scones that could have fed a small army and headed over to feed the firefighters. It is one of my very earliest memories. I remember those firefighters with a great deal of affection, because they were, and are still, very much a family. These are people who depend on each other for their survival. How many times have we seen volunteers out fighting fires only to return home to find that that home is no longer there, to find that their own home has been burnt to the ground in the course of a bushfire? It is that time when the CFA rallies around to support those people.

This is a community that used to be — and I would like to think that it still is, but it certainly used to be — what Australia was all about. What we are seeing from this Premier is an attempt to destroy that, and I hope he fails. I sincerely hope he fails. As I said before, of all the appalling things he has done — the scrapping of the east-west link and the blowing of a billion dollars; we could go on about all of the things he has done — this attack on volunteerism, this attack on the volunteers of the CFA, is clearly, in my mind, the worst thing that he has done. In doing this — if he succeeds — he will be putting at risk the lives of Victorians in rural areas, and he will be putting at risk the lives of people in the fringe areas around the edges of Melbourne, in places, for

example, like where I live. The lives of my next-door neighbours will be put at risk because the CFA as we know it will be no more.

I want to say to the Premier, if he has a conscience, which is highly debatable, 'Use your conscience, Premier'. This is something that is far too important to be used as a political pawn. It is far too important to be used as political payback. We are talking about something which will save people's lives and which has saved people's lives over a long period of time, and I would hope that we will be in a position to do it again for a very, very long time. I say to the Premier, 'Get your priorities straight, because at the moment you are going the wrong way. You are doing the wrong thing by Victoria and you are doing the wrong thing by Victorians'. The CFA and the volunteers in the CFA are to be cherished and they are to be protected; they are not to be attacked. They are not to be destroyed as this Premier is attempting to do. I strongly urge the house to support this motion.

**Mrs PEULICH** (South Eastern Metropolitan) — I too wish to join in supporting Mr O'Donohue's motion that this house:

acknowledges the selfless and courageous work of the brave men and women of the Victorian CFA, one of the most remarkable volunteer organisations in the world ...

with over 60 000 volunteers, I understand. It is certainly a model that is being looked at by other jurisdictions. In particular I know that the President has been promoting the Country Fire Authority (CFA) model to some of the Latin American countries. The second part of the motion reads:

calls on the government to reject any United Firefighters Union (UFU) EBA claim that —

- (a) allows the UFU to direct or impede CFA activities;
- (b) undermines the autonomy of CFA volunteer firefighters;
- (c) impacts upon the rights of CFA volunteer firefighters, including through the volunteers charter; and
- (d) leads to a reduction in surge capacity of the CFA to respond to major events.

My area of South Eastern Metropolitan Region has parts that are covered by the CFA and parts that are covered by the Metropolitan Fire Brigade (MFB). As previous speakers have mentioned, they are all important in helping us to meet the challenges of Mother Nature. I think Mr Finn said it aptly: we are one of the most fire-prone places in the world. But in addition to fire, floods are not unknown to us as well as other natural disasters that have been character shaping

in terms of the history of this nation. The volunteers as a general rule have been the backbone of building this nation, and CFA volunteers have played an important part in providing emergency services.

This particular prolonged stoush between the CFA and the UFU has gone on for too long. After the government was elected the Minister for Emergency Services, Minister Garrett, commissioned a review appointing a former minister for emergency services from Tasmania, who brought down 20 recommendations. She accepted 18 of those. There was a dysfunctional culture that was identified, and following the Black Saturday fires clearly there was room for improvement but also some valiant effort in defending people, property and communities.

It is not often that I praise members of the Labor Party. Yesterday I had a go at praising Mr Somyurek for his very valuable contributions to the Electoral Matters Committee, having served on that committee with him previously. Today I am going to praise Jane Garrett. Out of the 20 recommendations, she rejected 2 outright, including the call to merge the MFB and the CFA boards. She said it was not viable, that they have two distinct cultures and she was not going to countenance it. Could I say that she has got gumption. She has got backbone, and she is showing up Daniel Andrews for who he is.

In desperate search of political friends of the Labor Party, I understand the UFU has affiliated with the Socialist Left (SL) — and boy, do we know that the Socialist Left needs friends. The Premier and, I would imagine, his leader in the upper house, Mr Jennings, are desperate for friends. They need those numbers in the ALP conferences and they need those numbers within the ALP. This is all about winning friends and of course payback for the assistance that was given by the firefighters — or the fireys, as the media and the Labor Party came to know them — for delivering important support in the 2014 state election.

I saw some of that at play. I saw some of the protesting, for example, at a fundraiser that was conducted by the former member for Carrum in the Legislative Assembly, Donna Bauer, herself at the time trying to recover from cancer, with firefighters being very coercive towards her outside that fundraiser. I thought it was inappropriate. If Minister Garrett learnt through the review of the bullying culture, that was on display. It was on display also at the polling booths. It was an unacceptable level of coercion. I understand some of those who were posing as fireys were not fireys at all but just card-carrying members of the ALP, like former councillor Kevin Bradford, who the Minister for Roads

and Road Safety, Luke Donnellan, described as 'Firey for the day' on election day. I know the uniforms were commissioned by Luke Kalahari, the head of Trades Hall Council. It was a very clever ploy.

Let there be no doubt that this is payback, and what this really ought to do is expose concerns at very many levels. There are concerns for the safety of the community. To destroy and lose CFA volunteers who vastly outnumber paid UFU firefighters would be an absolute catastrophe for the state. They are not bound by strict work-to-rules; they are out there doing their best, fighting to save their communities because they are a part of those communities.

The new rule which under the EBA would require seven paid staff to front up to a job before it became an active site would certainly mean that much more would burn, more lives would be lost and more property would be lost before volunteer CFA firefighters were able to get on with the job. An example would be that 100 per cent CFA volunteer stations in my area — Keysborough and Noble Park — would have to wait for three paid firefighters from Springvale and the rest to come from Dandenong before they could begin their work. That would be an unacceptable delay. It is unworkable.

In terms of the risk to the community, it is too significant to cave in to the demands of the UFU. In terms of accountability, I am concerned that these sweetheart deals, obviously struck before the election and now being repaid following the election, are very cunning ways of subverting the costing of Labor Party policies, because the true cost of the EBAs is not reflected in the costing of Labor Party policies which it has taken to elections. I believe this matter, the way that EBAs are used to subvert the process of accurate costing of policies, should be investigated by either the Public Accounts and Estimates Committee or the Auditor-General to see what additional costs the state has to wear as a result of some of these sweetheart deals.

It is also obviously a political deal. We know that following the walkout of a number of Shop, Distributive and Allied Employees Association (SDA) members from their faction, leaving a telephone booth of three here in this Parliament, being Mr Mulino in this chamber and a couple in the lower house, Mr Andrews is clinging onto his premiership by three, with the goodwill of the SDA. So he needs friends, and the UFU, which is affiliated with the SL, is there to be won over, and both the Premier and Mr Jennings are out there doing their best to win friends because they need them.

Could I say, Jane Garrett is really showing them up for being weak-kneed. I think it is disgraceful, the manner in which the Premier has sidelined her. I think she has been strong and she has been principled. She ought to stick to her guns, and she ought to be supported by the Labor Party, because it is the right thing to do.

I would like to commend both Ed O'Donohue and Brad Battin from the Legislative Assembly for highlighting this issue and also encouraging CFA volunteers who have got better things to do than to come rallying in front of Parliament House. Four hundred of them came out at a recent rally. What did they do? They did not hurl abuse at Jane Garrett, the minister; they gave her flowers, because they appreciate the loyalty and the respect that she has shown towards the CFA volunteers.

I am not going to speak for much longer, but I think there is a probity issue, there is a safety issue and there is a Labor Party political issue, and I think they all deserve exposition. These enterprise bargaining agreements (EBAs) must come under much greater public scrutiny because I believe they are very clever ploys for secret deals, sweetheart deals, to be done with the union movement, which is the industrial arm of the Labor Party and which has numbers at its preselections and is indeed an integral part of the ALP. This is just one way of moving public funds into their pockets.

The UFU actually gets a good deal. I am not suggesting that it should not be properly remunerated; of course it should. But I am also aware that a number of MFB and UFU members have a second job. I am not sure if that is ever —

**An honourable member** interjected.

**Mrs PEULICH** — Yes, a second job, because their time and time off allow them to hold a second job. Indeed many of them have had second jobs where they have been very lucratively paid. I do not believe that this is featured in any of the reviews of the performance of the organisation, and I believe that this is something that also deserves to be looked at. I believe that if you are involved in the emergency services or in the police service, these types of second jobs need to be placed on a register.

I am pleased to stand in support of the CFA volunteers and in support of the motion that has been brought before this house and also to say: well done, Jane Garrett.

**Mr ONDARCHIE** (Northern Metropolitan) — I rise today to speak on motion 253 instigated by Mr O'Donohue around the selfless and courageous work of the brave men and women of the Victorian

Country Fire Authority (CFA). I commend Mr O'Donohue for bringing this forward today because this is a very important message to the government and to Daniel Andrews to leave our volunteers alone. They do a wonderful job.

My experience with members of the CFA dates back to early in my career when I was assigned to do repatriation work after the Ash Wednesday fires around Gembrook and Cockatoo. I learnt a lot about our wonderful volunteer unpaid workforce — probably the biggest unpaid workforce we have in this state. I also worked alongside them in a different capacity during the Yarra Valley fires and of course had direct experience with the tragedy of Black Saturday and the work of many of our volunteers who came from a long, long way away to my part of the world to help us with the fires and the tragedies that ensued.

We lost a number of friends through the Black Saturday bushfires, and my children lost a number of friends through the Black Saturday bushfires. Try telling your kids they have lost mates who have died in fires and then accompanying your kids to funerals subsequent to those fires. It is a tough thing to do. It was tough for my children, it was tough for my friends and family, it was tough on my neighbours, but it was probably very, very tough for our CFA volunteers as well, because they worked so hard — many, many long hours. Those volunteers gave up time, energy and probably work to try to save Victoria and Victorian lives. And they do this every single day. Every day they commit themselves.

I think at this time of some of the CFA stations in my own electorate, such as the Epping station, where captain Rob Saitta and his people do a great job; the South Morang station, an integrated station; Craigieburn; Greenvale; and a number of other CFA stations alongside my electorate of Northern Metropolitan Region or indeed just outside that boundary. Undermining the volunteers insults the sacrifice, the personal commitment and the family time that they give to protect Victorians.

**Mr Finn** — Hear, hear.

**Mr ONDARCHIE** — And often our CFA volunteers are intergenerational. I have met young ones who are training now in their yellow uniforms as volunteers, where dad has been a CFA volunteer, or mum has been a CFA volunteer, for a long time.

**Mr Finn** — Or grandad.

**Mr ONDARCHIE** — And grandad — exactly, Mr Finn. Grandad has been a volunteer in the CFA, and

grandma, although grandma was not on the fire front; she helped in the office and did a whole lot of work as well. This is a family commitment, a community commitment, a commitment that brings communities together under the auspice of our wonderful Country Fire Authority. How dare the Premier and his buddy, his mate, Peter Marshall, undermine the wonderful commitment that our CFA volunteers give.

They sacrifice their work. Some of the tradies I see do not get to go and do the jobs that they get paid for because they are committing themselves to their fire work. CFA volunteers in the main care more about us than they do about themselves, and how dare the Premier and how dare the United Firefighters Union (UFU) think that it is better than these people. Because, I tell you what, if I was going to walk across the street to congratulate a Victorian who has done well for their community, it would be a CFA member before it would be Peter Marshall. They are Victoria's greatest unpaid workforce, and today this motion calls on us to respect them.

Just locally, I am getting tired of the UFU's disrespect for our volunteers. At my local station, South Morang, the CFA trucks have suddenly been transformed over the last few months. There is not a CFA logo on them. Covering the CFA logo is a UFU logo. On the trucks is a UFU logo covering the CFA logo that so well represents our volunteers. I do not remember ever seeing a transaction where the UFU purchased those vehicles, because they were purchased by the taxpayer on behalf of the volunteers. How dare the UFU assume ownership, assume a right or assume a determination that it decides what goes on.

We are seeing this now in the current enterprise bargaining arrangements, where the UFU wants to direct the decisions of our volunteer firefighters. The UFU wants to decide that operational command of the CFA has to come to them first. As I talk to CFA volunteers, as I have done for many years, both in a private and now in a parliamentary capacity — I am sure my colleague Mr Finn has done the same — I hear stories like, 'We haven't got our new truck yet because the UFU hasn't approved it', 'We're waiting on a new pumper', 'We're waiting on a new rescue vehicle' and 'We're waiting on a new ladder vehicle, but it hasn't come out of the depot because the UFU hasn't signed off on it yet'.

Excuse me? These are our volunteers. These are people with the greatest hearts we will ever come across, who give up their time for their community, but they cannot do their job because the UFU decides that it should control the decisions, that it should control the

activities, that it should control the issue of equipment and trucks and that it should control the management and operational decisions of our firefighting services.

Peter Marshall thinks he is the Premier of this state. Peter Marshall thinks he gets to direct what happens in saving Victorian lives.

**Mr Finn** — He could be more powerful than the Premier of the state.

**Mr ONDARCHIE** — Well, I will tell you what, if the Premier concedes and lets the UFU run riot across this state and do what it wants to do, he should leave. He should go, because Minister Jane Garrett, the member for Brunswick, has said she will not accept any deal that undermines our volunteers, and we as an opposition say that is the right decision.

It has become a tale of two ministers, really — the Premier and the Minister for Emergency Services. I know Mr Battin, the shadow minister and member for Gembrook in the other place, and Mr O'Donohue have been strong on this, on reminding Victorians about the importance of our CFA volunteers — and we do that here today. I commend this motion to the house. I commend the work of Mr O'Donohue in bringing this to us. I commend, more importantly — above this motion and the work of Mr O'Donohue, with due respect — the work of our CFA volunteers. They are the gold of this state. They are the heroes of this state. They are the people who give so much of their time, money and family life for the rest of us. How dare the Premier of this state disrespect them. I commend the motion to the house.

**Mr O'DONOHUE** (Eastern Victoria) — I am pleased to summarise and wrap up this important debate. Indeed it is a very important debate. I thank the contributors who have spoken in the debate on this motion this afternoon. I am disappointed that more government members have not seen fit to contribute to the debate about the Country Fire Authority (CFA) because I would have thought more government members would have things to say about our wonderful CFA volunteers and the wonderful organisation that is our Country Fire Authority. But no.

**Mr Eideh** — Mr Leane said it all.

**Mr O'DONOHUE** — I pick up the interjection, 'Mr Leane said it all'. I was going to come to Mr Leane, who spoke for about half an hour.

**Mr Finn** — It was 40 minutes, actually.

**Mr O'DONOHUE** — For 40 minutes, Mr Finn. Thank you. Let me summarise Mr Leane's contribution. He picked up the phone to speak to Peter Marshall; Peter Marshall said, 'Everything's okay', so everything is okay. There you go. There is his 40-minute speech. He spoke to Peter Marshall this morning, who told him, 'It's okay, Shaun. Everything's just fine'. That is Mr Leane's speech truncated from 40 minutes to a sentence or two.

Then of course we had the contribution from Ms Shing, who alleged that the coalition manufactured the protest on Melbourne's streets, with 400 appliances and 1000 volunteers protesting at the behest of the coalition. I actually think that is insulting to the volunteers. Ms Shing is insulting the volunteers who, out of concern for the future of the CFA, took time out of their busy schedules, gave up a day on their weekend and travelled hours in their appliances to protest on the steps of Parliament House — because they do not like what the Premier has done. They do not like what the Premier has done in sidelining the minister and interceding in direct negotiations with the United Firefighters Union (UFU) on its enterprise bargaining agreement (EBA).

We heard Ms Hartland say, 'Oh, an EBA. It's a private matter. It's got nothing to do with the Parliament'. Gosh, I thought Ms Hartland was a member of the last Parliament. I heard the Greens have plenty to say about EBA matters in the last Parliament. Things seem to have changed significantly with this EBA. Indeed Mr Foley, the Minister for Housing, Disability and Ageing in the other place, in debate this afternoon acknowledged the draft EBA is a public document in the public domain and that it is a matter for public discussion. So I advise Ms Hartland that even a minister of the government acknowledges that point.

**Ms Hartland** interjected.

**Mr O'DONOHUE** — I pick up Ms Hartland's interjection. The Parliament of Victoria is an appropriate place to discuss the CFA volunteers, their role, their resourcing and how they interact with paid firefighters. After all, we passed legislation in 2011 establishing the volunteer charter. This place passed that legislation. Some of the issues in the EBA go directly to some of those points, so this is absolutely an appropriate place to discuss it.

**Ms Hartland** interjected.

**Mr O'DONOHUE** — I am happy to also pick up Ms Hartland's point about presumptive legislation, because the point about presumptive legislation is the

same as Ms Shing's point about good faith negotiation. She said that we have got to let this run, that there is a process on foot and we need to have some respect for the process.

On presumptive legislation, I think Ms Shing said, 'Oh, it's coming, it's coming'. This government has been in power for 18 months — a year and a half. When are these things going to be resolved? When are they going to be addressed? When is that legislation going to be introduced?

**Mr Mulino** interjected.

**Mr O'DONOHUE** — You are the government, with the greatest respect, Mr Mulino. The government has had 18 months to resolve this EBA. It has had 18 months to introduce presumptive legislation, and it has not done that. It is time the government matched its talk and rhetoric with action. It is time it finally delivered on some of these things.

As I said in my contribution earlier, and as other members have said in their contributions, what a disgrace that the minister is sidelined while the Premier has one-on-one discussions and does deals with the head of the UFU.

Ms Hutchins, the Minister for Industrial Relations, in question time in the other place today gave a 4-minute answer that did not answer the question she was asked, which was about whether she was at the table in those negotiations as well. There was \$2 million provided in the budget to assist these processes. I am not sure that the taxpayers are seeing the dividend on that investment. We do not know whether Ms Hutchins was present or not, but given her extensive answer, even though she did not answer the question, I think we can assume that she has had the same treatment as Minister Garrett.

We have a divided government, and we have had 1000 CFA volunteers taking it upon themselves to protest. As members of the coalition have said, people should think about the sacrifices that CFA volunteers are already making, turning out to fires and training and rattling tins on weekends at traffic lights to raise money for a new tanker, to upgrade or expand the shed or to pay for new fire equipment. The last thing they want to do is come down to Parliament House in Melbourne and protest. To say, as Ms Shing suggested, that this is some sort of coalition-concocted political stunt is a joke and it is offensive. It was hardworking volunteers, working from Monday to Friday and turning out to fires on a Tuesday or Saturday night, taking the time to drive from the corners of Victoria to protest at what they see

happening. Mr Leane's answer was, 'It's okay. Peter Marshall told me there's nothing to worry about'. He should pick up the phone to speak to some of those 1000 volunteers who turned out.

This is a very serious issue. The CFA is one of the most outstanding volunteer organisations in the world.

**Ms Lovell** — World renowned.

**Mr O'DONOHUE** — World renowned, Ms Lovell. The government should be ashamed that we have got to this point. The opposition takes no joy in or comfort from having to bring these issues before the Parliament, but it is important to do so. As a country member of Parliament with CFA stations right across my electorate, I feel very passionate about this. It is a disgrace. The Premier should stop playing petty political games, picking winners in his cabinet. He should sit down with the minister and they should resolve this. They need to come to a resolution in the interests of the volunteers and in the interests of the Victorian community in a way that honours and respects the volunteer charter and in a way that encourages other members of the Victorian community to put themselves forward in a selfless way and volunteer to be part of this organisation.

What have the recent revelations and the recent issues around the Premier's behaviour done to the morale of our volunteers? I know what they have done because they tell me. They ring my office, they email me and they tell me when I see them. They are deeply offended. They see this as a very serious issue. These are intelligent people. It is not a coalition-conspired political stunt. These people feel seriously offended about what has happened. The CFA will be compromised if the EBA, as put forward by the UFU and supported, it appears, by the Premier, is signed.

The government should have a good, hard look at itself and resolve this issue in a way that reflects this motion. It should acknowledge the courageous work of our CFA volunteers and reject any UFU claim that allows the UFU to direct or impede CFA activities, reject any UFU claim that undermines the autonomy of the CFA volunteer firefighters, reject any UFU claim that impacts on the rights of CFA volunteer firefighters, including the rights set out in the volunteers charter, and reject any UFU claim that leads to a reduction in the surge capacity of the CFA to respond to major events. I thank members of the house for their contributions in relation to my motion, and I look forward to its support.

**Motion agreed to.**

## GANG VIOLENCE

**Mr O'DONOHUE** (Eastern Victoria) — I move:

That this house expresses its concern following the Moomba riot in the Melbourne CBD on the evening of Saturday, 12 March 2016, noting:

- (1) the thuggish, violent and inexcusable behaviour by many of those involved in the riot;
- (2) the injury, property damage and distress caused to the many families, tourists, workers and community members who were in the CBD at the time to enjoy Moomba;
- (3) the damage to Melbourne's reputation as a safe and welcoming place to visit;
- (4) the lack of leadership shown by Premier Daniel Andrews by not speaking to the media for the 36 hours following the riot;
- (5) the resources Victoria Police has at its disposal, given the cuts to the number of police per capita by the Andrews Labor government;

and calls on the Andrews Labor government to provide Victoria Police with the resources it needs to ensure those involved in the Moomba riot are brought to justice and that such a riot is not repeated.

The genesis of this motion is the terrible CBD riot that took place during Moomba on the evening of Saturday, 12 March. Unfortunately since I gave notice of this motion on 22 March law and order issues have continued to escalate. Following the Moomba riot there have been a number of very serious and very concerning incidents that have taken place in broader Melbourne, and I will get to those as part of my contribution.

We all have an expectation in this place that one of the hallmarks of Victoria and Australia is a safe community. Community safety is the bedrock of a stable, peaceful and prosperous society. I remember distinctly, if I can indulge in a personal anecdote for a moment, being on a train just outside of Johannesburg and being mugged by four people with knives. I remember reflecting on that incident after the event, and on many, many occasions since, and thinking just how lucky we are to live in Victoria and to live in Australia where that sort of behaviour just does not happen. The situation where you can be on a train in broad daylight and four men can put knives to your throat and ask for money does not happen in Victoria, nor should it. It should not happen anywhere at any time. The incident reinforced for me just what a great country this is, what a great city we live in and what a great state we live in. As I said, one of the foundations of any prosperous, successful, harmonious and tolerant

society is, and must be, having community safety as a core ingredient.

It is extremely distressing that we have so many challenges to community safety in Victoria. We have seen many, many heinous and serious incidents, but of course there will always be crime. There will always be people who seek to do harm. Those who seek to do the wrong thing and think that they can get away with criminal behaviour will do so. There is never one single solution to these issues, but one thing is for sure: when certain crimes become normal and accepted, it becomes very hard to stop them. While I will talk in detail about some individual incidents, I think it is also important to paint the picture of where we are at.

The Crime Statistics Agency (CSA) was established by the coalition government to be separate from Victoria Police and to report on crime in Victoria. I think it is doing an excellent job. As it goes along its research briefs are becoming more detailed with greater analysis. I think the agency will build a growing body of research and data that will be most instructive to policymakers and to Victorians more generally as time goes on. The CSA has released the crime figures for the year to December 2015, the first full year of the Andrews Labor government. What it found was that the number of offences recorded by police in the year to 31 December 2015 was 497 116, up by 8.1 per cent from 459 681 offences recorded for the same period in 2014.

So at the end of the first year of the Andrews government crime was up 8.1 per cent. The CSA found that burglary and breaking and entering offences were up 9.1 per cent, from 45 549 to 49 682. It found that theft offences were up 11 per cent, from 147 802 to 164 109. It found that drug dealing and trafficking offences were up 17.7 per cent, from 4498 to 5292. Drug use and possession offences were up 16.5 per cent, from 19 765 to 23 020. So we are talking about very significant increases in a large number of crime categories. Weapons and explosives offences were up 17.1 per cent, from 13 478 to 15 779. Public nuisance offences were up 15.8 per cent, from 2579 in 2014 to 2987 in 2015. There was a significant increase in justice procedure offences — they were up 39 per cent — and breach of orders offences were up 11 per cent. There is a very concerning trend in these crime statistics —

*Honourable members interjecting.*

**Mr O'DONOHUE** — Members opposite may wish to mock and scoff —

**Mr Melhem** — Stop talking Melbourne down. Stop talking the state down.

**Mr O'DONOHUE** — I am happy to pick up the interjection. I do not find anything amusing or anything light about — —

**Mr Melhem** interjected.

**Mr O'DONOHUE** — I am happy to take up Mr Melhem's interjection. Crime is up 8 per cent to half a million offences.

**Ms Springle** — Crime's not up. That's not true!

**Mr O'DONOHUE** — For the benefit of Ms Springle, let me again quote the Crime Statistics Agency, the independent agency that reports on crime. The number of offences recorded by police in the year ending 31 December 2015 was 497 116. This is up 8.1 per cent from 459 681 offences recorded in the same period in the previous year.

**Mr Ondarchie** interjected.

**Mr O'DONOHUE** — That is 8.1 per cent, Mr Ondarchie — nearly half a million offences. The independent agency established to report on crime has reported on the first full year of the Andrews Labor government, and it found that nearly half a million offences were recorded and crime was up across the state on average by 8.1 per cent. That is a significant increase in crime, with some very concerning trends around drug dealing and trafficking, drug use and possession, weapons and explosive offences, public nuisance offences, burglary and break-and-enter offences. It is very concerning.

What has the government's response been to these law and order challenges? In the budget last year there was funding for hardly any new police. What we saw was the police academy recruiting, training and deploying recruits as fast as it physically could during the term of the coalition. That saw 1900 extra police recruited, trained and deployed. The coalition also funded significant upgrades to infrastructure at the academy, which were long overdue. The upgrades increased the academy's capacity to train and also importantly increased its ability to train for modern policing challenges. There has been a generational change in the infrastructure at the academy, which has given this government the ability to recruit, train and deploy police if only it would bother to do so.

Unfortunately the academy ground to a halt after the election of the government, and on the most recent statistics available, despite Victoria's population having

grown by around 150 000 people since the election of the Andrews government; despite crime being up by 8 per cent; despite the two-up policy, a legitimate operational decision of the chief commissioner which has had resource implications, particularly in country Victoria; despite the scourge of ice; and despite the commitment of the government to implement all the recommendations of the Royal Commission into Family Violence, Victoria, here and now, on the most recent statistics available, has virtually the same number of police as it did when the coalition left office. What we have also seen is that the number of police attached to police stations across the regions has decreased by 151, according to the most recent statistics available.

Mr Ondarchie mentioned Nunawading. I will take up Mr Ondarchie's interjection, because the acting police minister often says Victoria Police resource allocation is a matter for the Chief Commissioner of Police. That is true under the police act. What is also true is that the police minister issued a statement on 15 April in which he said:

As Minister for Police, I made a commitment in Parliament in February that this would keep all existing police stations open.

He went on to say:

This government does not support the forcible closure of police stations against the wishes of local communities.

There are 329 police stations across the state, and they all play a significant role in the work done by police.

Why have I recounted this to the house? Let me do it again. I have recently been with the local member, Dee Ryall, who is in the Legislative Assembly. We thought we would drop in on the Nunawading police and see how they were going. If you go down Springvale Road and do a left-hand turn, there is a big sign there that says 'Police'. If you follow the sign down to the police station, park the car, go up the steps and knock on the door, there is no-one there. There is a big sign saying 'Closed'. But the minister said:

This government does not support the forcible closure of police stations against the wishes of local communities.

This police station is closed. Unfortunately, despite what members may think is a clear, unequivocal commitment, five months after coming to government, with all the advice of Victoria Police and the bureaucracy and clear, unequivocal statements from the police minister, this police station is closed. Ms Ryall and I thought, 'Perhaps there has been some consultation that we don't know about. Perhaps the people of Nunawading don't want a police station'. Just

last weekend we spoke to the president of the local traders group. He did not know anything about it. He had had no consultation. We spoke to other local residents. They did not even realise the police station had closed. The counter service had been taken away. In fact the sign on Springvale Road indicates that the police are just around the corner. They are, but there is no public counter service.

Unfortunately the same can be said for Somerville, which has a brand-new police station. There was some discussion and some commentary from people in the local media that it was never meant to be a police station. Funny how the station has got the exact design of a counter service, it has got meeting rooms and it has got all the attributes of a brand-spanking-new police station. The only issue is it is closed. Like Nunawading, it is closed. Like Burwood police station. Again, you can go to Burwood police station — there is a big ‘Police’ sign. The sign actually looks relatively new, unlike the building itself. It is a brand-new police sign. You go and knock on the door, and there is no answer. Advertised hours — there are none. The local community tells me that the police station is never open. Again, this is a direct contradiction of the promise of the minister.

During last sitting week, my colleague Ms Kealy, the member for Lowan in the other place, asked a question of the acting police minister about a serious incident that took place in Warracknabeal. She relayed to the minister the challenges that local police had because the police station at that time was closed and police had to come from as far away as the town of Speed. That is a significant distance away. Of course if the police station at Minyip had a police officer, maybe the Minyip police could have responded to the incident at Warracknabeal. Alas, to the best of my knowledge there has not been a police officer attached to the station, as opposed to living in the residence, since this government came to office. By any definition that is a closed police station. That is in contravention of the clear promise of the minister. And of course we have had countless examples of 24-hour police stations simply unable to keep the doors opened.

As the police association has said, police stations are places of sanctuary. They are places to escape to if someone is under pressure or under threat, and a 24-hour police station should be open 24 hours a day. If it is advertised to be open 24 hours and the local community has an expectation that it is open 24 hours, it needs to be open 24 hours. How is it that in somewhere like Cranbourne, which is growing exponentially, in the City of Casey, which is seeing 7000 to 8000 people per year move in, there is often

only one divisional van on duty — the same as there was 30 years ago when Cranbourne was a little country town? How is it that the police station had to close its doors for want of resources?

**Mr Melhem** — Was Nunawading closed under your watch? That is what the *Herald Sun* said in July last year.

**Mr O'DONOHUE** — I welcome the interjection from Mr Melhem. Let me be very clear about this: Mr Melhem refers to the coalition-funded brand-new Forest Hill police station. It summarises the difference between Labor and Liberal. Forest Hill, with its brand-new facilities and brand-new police station, was funded and delivered by the coalition. Yes, it was opened by Minister Scott, but it was delivered by the coalition. What does Labor do? It closes police stations. It is closing police stations and cutting the hours of others.

**Mr Melhem** interjected.

**Mr O'DONOHUE** — Mr Melhem, let us just go back to the facts. The Nunawading police station was closed under Daniel Andrews and Labor. The Forest Hill police station was designed, committed to and funded by the coalition.

Let us move on now to the current budget. While I will have more to say about this in the budget reply, it is an extremely disappointing result for frontline police officers who are on the divisional van, who are responding to call-outs and who are under extreme pressure to manage and triage, as they call it — which is to prioritise the most serious and get to the others when they have a chance.

Out of the budget that is before the Parliament at the moment, having 300 extra frontline police over the next two years to 2018 will not deal with the holes in police station rosters that currently exist. It will not accommodate population growth. It will not deliver the resources needed to implement the family violence royal commission recommendations. It will not accommodate the resource implications of the two-up policy. It will not accommodate the ongoing challenges from ice. And it will not accommodate the issues associated with the rising crime rate that we have here in Victoria.

At a time when the state's coffers have never been fuller, it is such a pity that the government can only find the resources for 300 frontline police or 406 overall. It will not be enough to address the issues that we have here in Victoria. That is a background to the facts, the government's commitments, the reality of things on the

ground and the rising crime rate in Victoria, and it takes me to the genesis of this motion — that is, the Moomba riot.

The point I was trying to demonstrate through recounting a personal experience was that I think most Victorians were absolutely shocked at the completely unacceptable thuggish behaviour from so many on that night. Families that had enjoyed Moomba and decided to go and grab a bite to eat in Federation Square or in Swanson Street prior to heading home after seeing Melbourne at its best — which Melbourne does so well, with major events, festivals and cultural events that show Melbourne at its absolute best and all that we have to offer — as well as visitors, tourists and locals alike, all then saw Melbourne at its absolute worst with uncontrolled violent, thuggish behaviour that, as I say, generally shocked Victorians.

One Sunday paper described it as a battle zone. I quote an article headed ‘Battle zone’ from that *Sunday Herald Sun*:

The streets of Melbourne turned into a battleground last night as two armed gangs faced off moments after the Moomba fireworks.

People ran for their lives as up to 200 gang members converged at Federation Square yelling at police.

The brawl spilled onto the streets, with gang members using cafe chairs as weapons and stopping trams and police cars in the street. Police shut down Swanson Street cafes and fast-food outlets and used pepper spray in a desperate bid to control the violence.

We are now all familiar with those images of the police being forced to use capsicum spray and do whatever they could to try to regain control.

Let me congratulate the police for the way they responded to what was such a difficult situation. It really does very clearly identify the challenges that Victoria Police confronted on that night. Sadly, that event has brought to the fore a range of serious issues we have in Victoria with law and order and with gangs. What we have seen is the Moomba riot was unfortunately not a one-off that shocked Victorians; we are now seeing, perhaps not on the same scale, that flagrant disregard for authority, the apparent complete disregard for the rule of law and very little concern for the apparent consequences.

Since the Moomba riot — this is a very serious issue — we have seen new words come into the vocabulary that we have never heard before: the concept of ‘tapping’, where someone drives into the back of another vehicle with the purpose and intent of stealing that car. So you drive into the back of the car, pretend to cause an

accident, wait for the driver to get out, accost them, assault them, do whatever is required to steal the car and drive off. What we are seeing is carjackings — people being held up with weapons on the street or in their cars, their cars stolen and then those vehicles used to commit further crimes, like shocking home invasions where people are asleep in their homes and are waking to find people with weapons standing over their beds demanding their keys and stealing their cars. These are the sorts of crimes that I think were virtually unknown in Victoria until recent times. I saw on Facebook earlier this week another way to steal cars: throw rocks at the windows, get the car to stop and steal it. This is just completely unacceptable behaviour.

To transition back to the Moomba riot for a second, I think Victorians felt let down that the Premier was missing in action the next day. We saw the Lord Mayor, Robert Doyle, out with Victoria Police responding to and answering all the questions that the Premier should have answered. Robert Doyle was doing the job that the Premier should have been doing. It took until the next day before the Premier was there fronting the media.

**Mr Ondarchie** — Where was he?

**Mr O'DONOHUE** — Mr Ondarchie asks me, ‘Where was he?’. Well, I do not know the answer to that question. Despite questioning in Parliament I do not think we have a clear answer as to why the Premier was missing in action that following day and, as I say, why it took until the next day for him to front the media to do the job that Robert Doyle did for him the day before.

In times of crisis or of enormous public concern people expect to see the leader there, their Premier. I mean, whether we agree with him or disagree with him, Daniel Andrews is the Premier of Victoria, and at times like that you want to see the leader there, taking the questions, giving comfort to the community, showing that he or she understands the seriousness of the issues before us and providing the leadership to make sure those issues are addressed and resolved into the future. We saw none of that. In fact we did not see him at all.

**Business interrupted pursuant to standing orders.**

## STATEMENTS ON REPORTS AND PAPERS

### **Auditor-General: *Public Safety on Victoria's Train System***

**Ms CROZIER** (Southern Metropolitan) — I am pleased to be able to rise this evening to speak to the

Victorian Auditor-General's report of February 2016 entitled *Public Safety on Victoria's Train System*. Just before I go to the main issues in relation to what the Auditor-General has said about public safety on transport systems, I note that the opening remarks state that:

All Victorians should be able to expect to not only feel safe, but also be safe when using our public transport system.

Now, I have just been listening to Mr O'Donohue's contribution about the Moomba riots and about the unprecedented behaviour and gang activity, especially over the Moomba weekend and the riots that occurred. One has to wonder, if we did not have protective service officers (PSOs) on our stations, whether public safety for commuters on the train system would have been more at risk that very weekend. Having PSOs on our trains and at every train station has certainly given a degree of comfort to many, many commuters, as is identified and stated in this report. It was a policy of the former government and a policy very well received by commuters travelling on public transport.

I said in a previous contribution whilst talking to this report that the rollout of that program that was undertaken was successful and indeed put 950 PSOs at 170 railway stations. PSOs do a fantastic job not only at our railway stations but also in protecting other government facilities like Parliament House and the courts, but alarmingly I read in today's paper that that there is potential to reduce PSO numbers, according to this report headed 'Police association criticises move to reduce PSO numbers at Victorian Parliament House'.

I think that would be an absolutely detrimental move to make, because the PSOs do a terrific job in this place, and with the heightened threat of terrorism that we know is happening globally, unfortunately, the Parliament, where we uphold democratic values and undertake to make laws for the state, should be protected. I am very pleased that the PSOs do what they do to protect every one of us in this place — not only the MPs but all the staff as well and the many visitors who come to visit our Parliament. I just wanted to say in relation to that particular issue I do hope that is not the case and that the PSOs will remain here protecting Parliament, as well as doing the great work they are doing — as I think Mr Dalidakis would agree — across our rail stations.

**Mr Dalidakis** interjected.

**Ms CROZIER** — I would be happy to start at the top. I was commenting on the very successful program of PSOs that the former coalition government undertook — —

**Mr Dalidakis** interjected.

**Ms CROZIER** — Which you support — you do support that, but you did not at the start. I think it was Mr Merlino in the other place who called them plastic police — —

**Ms Shing** interjected.

**Ms CROZIER** — Correct me if I am wrong, but I am sure it was Mr Merlino who called them plastic police, which was very denigrating.

Nevertheless, let us get back to the report on public safety on Victoria's rail system. As we have got a public train system that is running throughout Victoria, we have got some situations that need addressing, and I cannot let this opportunity go without mentioning sky rail. Today, again, we learn that that part of the level crossing removal program that has been trumpeted by this government in actual fact does not have a business case. It seems extraordinary that a program that will cost multiple billions of dollars does not have a business case. This is a significant project that will affect our public transport system and our rail system, which goes to the safety around those areas where sky rail will run. There are concerns in the community about safety, and it is not only on the trains and around rail stations, it is around the local communities where our trains and our public transport systems are. This government has a lot to answer for when it does not even have a business case for a very significant project of that size and value.

#### **Auditor-General: *Patient Safety in Victorian Public Hospitals***

**Mr ELASMAR** (Northern Metropolitan) — I rise to speak to the Victorian Auditor-General's Office (VAGO) 2016 report *Patient Safety in Victorian Public Hospitals*. In 2008 I spoke to the VAGO report *Patient Safety in Public Hospitals*, and it seems today very little has changed in eight years. Although I have to say that on the whole the current report is largely esoteric, it is not able to quantify the number of accidents or incidents occurring in the public hospital system. Obviously if the data is not forthcoming, it is impossible to demonstrate definitively whether hospitals have improved their patient safety ratios or if in fact they have declined further. What is immediately clear is that it appears the public hospital system does not place a high enough priority on establishing a proper framework or adequate mechanism through which this information would become immediately apparent.

Previously, in 2008, I spoke about the need for patients to be confident in the hospital's ability to keep them safe and then hopefully send them home rejuvenated or at least in better health. The same principle still applies today. It should be said, however, that since 2014 and the advent of an Andrews Labor government being elected, several consultative patient safety committees have been established. The fact that they appear not to be working well is attributed to the Department of Health and Human Services. We all know that health is a huge and complex portfolio, and reading the report I see the Minister for Health has sought regular briefings and information from her department regarding the current state of play. However, accidents or incidents are unfortunately inevitable because the system is managed by human beings not robots. The important ongoing issue is how we deal with them and how we minimise them as far as humanly possible for the future. The difficulties of running the public hospital system are manifold, but notwithstanding these complexities, the department must commit to implementing a protocol of sharing information and assisting hospitals via its human resource expertise.

We in the Andrews government do not undervalue the significance of patient safety or the urgent need to establish a proper risk management strategy. We need an effective patient safety system that will allow us to collect data and properly monitor a definitive clinical incident register. We need this information because it will save lives and obviate the needless tragedy for Victorian families of the repetition of accidents. I can only strongly support the Auditor-General's recommendations in relation to the department establishing a higher priority for patient safety monitoring by providing all the boards, agencies and committees with the wherewithal to reform their functions. I thank the Auditor-General for his report.

### **Federation University Australia: report 2015**

**Ms BATH** (Eastern Victoria) — This afternoon I wish to speak on Federation University Australia's annual report of 2015. As most of us in the house will be aware, the University of Ballarat became Federation University in early 2014, and the new identity was part of the university's merger with Monash University's Gippsland campus in the town of Churchill in my electorate.

At the time of launching the merger back in 2013 my predecessor, who was then also the Minister for Higher Education and Skills, Peter Hall, said the university would transform education for regional students across the state. The merger meant that students in Gippsland

were reassured they could access tertiary education in their own region at the Churchill campus.

I am passionate about the provision of education at all levels in regional Victoria, having grown up in the country myself. Like many country students before me, I had to move away from my home town to access education — I moved to Melbourne to study science and education. That is why I believe it is important to advocate for rural and regional education for our young people into the future.

The formation of Federation University, also known as FedUni, under the former coalition government has so far been the success story that was predicted. This year projected enrolments are forecast at 1600 for the Gippsland campus, a 27 per cent increase on last year, with 70 per cent of these students having a Gippsland postcode. This is a tremendous effort. As stated by the university's chancellor, Dr Paul Hemming, in his report, FedUni has continued to remain 'regional in focus, national in scope and international in reach'. This has certainly been the case at the Gippsland campus, with a recent joint venture between Latrobe City Council and the university designed to attract Chinese students to the Latrobe Valley for study. Latrobe City's sister city, Taizhou, has been targeted to attract students to the university, and I am informed by FedUni head of campus Dr Harry Ballis that an agreement has been reached to send 200 Chinese students to the university each year for the next three years. FedUni research indicates that international students generate about \$100 000 each for the economy through fees, accommodation and living expenses. It is believed this agreement could be worth over \$40 million to the region, which is absolutely fantastic news.

It is evident through the university's annual report that a wide range of study options are available and new courses are being added all the time. The Gippsland campus signalled a renewed focus on the study of art and design in the region, with the first intake of university students for a new graphic design course. The campus has also had a strong interest in applied science and engineering courses as well as high enrolments in nursing and health sciences and education. It was also pleasing to read that there was a 10 per cent increase in open day attendances at the Gippsland and Ballarat campuses.

Having attended the Gippsland campus on market day myself this year, I note there certainly was a real buzz around the university and what it has to offer. I was able to catch up with some of my former students, who were pleased to be able to continue their education locally. The annual report does not, however, paint a

bright picture when it comes to the delivery of TAFE programs. Overall the university delivered vocational education and training (VET) programs to over 5800 students in 2015, equating to around 1.4 million student contact hours of training, with 1.1 million student contact hours related to funding from the state government and 0.3 million student contact hours in non-government-funded training. This level of training was significantly less than the previous year.

It is evident there are issues around TAFE funding models. The current VET funding system is failing. The government-subsidised training has been cut across the state, and the number of students in training has plummeted by 66 000. Thousands of VET students are facing higher up-front fees, and publicly funded VET enrolments are in decline. This is an indictment of the Minister for Training and Skills, Mr Herbert, and the Labor government's work in the VET sector. We do not want to see pathways for school leavers wishing to enter VET diminish. We need to ensure that school leavers wishing to enter into VET or those people in the workforce wanting to upskill have every opportunity to do so.

### **Auditor-General: *Bullying and Harassment in the Health Sector***

**Mr EIDEH** (Western Metropolitan) — I rise to speak on the Victorian Auditor-General's report into bullying and harassment in the health sector. I thank the Auditor-General and the audit team for their dedicated work on this report and for bringing this serious matter to the public's attention. Bullying and harassment are certainly not an isolated issue in the health sector only; it is an unfortunate reality that these behaviours occur in workplaces across the state. It is something that requires a collective response from employers, managers and employees to create positive workplaces so that all staff can feel safe and supported in their workplaces.

This report has shed light on the issues confronting the health sector, and I thank those involved, in particular the brave staff who assisted the Victorian Auditor-General's office to provide an insight into the magnitude of the problem within the sector. Last year many Victorians across the state watched a report on *Four Corners* which highlighted the bullying and harassment facing young doctors pursuing their medical careers, in particular in the surgical fields. The report highlighted the endemic issue of harassment and bullying within the sector, and whilst it was shocking for outsiders to watch, what is more shocking is that it was just perceived as common practice for medical staff and trainee doctors.

This report, the third in a series focusing on occupational health and safety in the health sector, highlighted the importance of building and maintaining a positive workplace culture that effectively and decisively deals with the full range of inappropriate behaviours, including bullying and harassment. In particular it examined whether public health services and Ambulance Victoria are effectively managing the risk of bullying and harassment in the workplace. Overall the report found that health sector agencies are failing to respond effectively to bullying and harassment as a serious OHS risk. In addition to this, these agencies are not demonstrating adequate leadership on these issues, which is illustrated by the fact that the audited agencies do not understand the extent, causes or impact of bullying and harassment in their respective workplaces, even when such behaviours have resulted in significant media attention and reputational damage. The report found that there are consistent shortcomings and that stronger leadership and support is urgently needed to assist health sector agencies to fulfil their responsibilities as employers and to effectively protect their staff. This is not only important for staff and managers but also for patients receiving treatment.

The report highlights within its findings that there are identified issues with culture — inadequate leadership, insufficient priority, failure to identify and understand the hazard, poor accountability and underreporting of inappropriate behaviour, including bullying and harassment. It also suggests strategies to prevent bullying and harassment, including reforms to policies and procedures, training and education, early intervention and addressing current inadequate management of formal complaints.

The report has made a series of 16 recommendations to be implemented by the Department of Health and Human Services, WorkSafe, the Victorian Public Sector Commission and health sector agencies. I hope all these recommendations are implemented immediately, and I commend this report to the house.

### **Electoral Matters Committee: conduct of 2014 Victorian state election**

**Mr RAMSAY** (Western Victoria) — My statement on reports and papers tonight will be in relation to the inquiry into the conduct of the 2014 Victorian state election. I congratulate the committee, which was chaired by the Honourable Louise Asher, the member for Brighton in the Legislative Assembly, and the committee members from the Assembly, Ros Spence, Lizzie Blandthorn, the Honourable Martin Dixon and the Honourable Russell Northe. I also congratulate

Council members of the committee: Fiona Patten and the Honourable Adem Somyurek in providing the report.

**Mr Dalidakis** — Don't forget me.

**Mr RAMSAY** — No. You were not mentioned, Mr Dalidakis. You are now recorded in *Hansard*, so your mission is complete.

What I did want to refer to is section 6.7.2 of this report. It is timely, because this afternoon we spent a considerable amount of time talking about the power grab of the United Firefighters Union (UFU) to take over our CFA (Country Fire Authority) volunteer base.

*Honourable members interjecting.*

**Mr RAMSAY** — Despite some protestations from the other side, it is not about salary increases or sign-on bonuses or 15 per cent loadings or all the other lurks and perks that are buried in the enterprise bargaining agreement (EBA). It is actually about the power shift — the power grab of the UFU to take over CFA management.

It is interesting when we look at the history of why the Premier, Daniel Andrews, is so hell-bent on making sure Peter Marshall and the UFU are successful in the negotiation of the EBA, because it is about payback. When did the payback occur? It was an agreement between the UFU and the then Labor Party that the UFU would actively campaign in the state election supporting Labor in the most sensitive marginal seats.

And I was there; I was in Ballarat, standing with about six burly look-alike firemen dressed up in their clown suits. They were supposed to be representing firefighter suits, except I was assured they were not proper Metropolitan Fire Brigade firefighting suits; they were sort of cheap replica imitations, but they did have 'UFU' all over them. And there they were, handing out cards, not saying 'Vote Labor' — not contravening the rules of the Victorian Electoral Commission (VEC). They said, 'Don't vote Liberal'. All it was was a bit of reverse psychology in relation to saying, 'Liberals don't support firefighters, so vote Labor'. That was their mantra at all those polling booths.

I am pleased to see that this report actually brings that activity to account. It was not only the UFU though; the paramedics were also lined up there. Nicely positioned were the ambulances, right in front of the polling booths with all the dirty language written over the public service vehicles saying 'Napthine is a curd' and all that sort of stuff.

**Mr Dalidakis** — You make stuff up.

**Mr RAMSAY** — No, no. It is very true. They were blocking out all the disabled access, I might add, and all the disabled lanes. The ambulances were lined up with the paramedics there, but I see now there is new legislation that stops all that. I am pleased to see that, but what we have not stopped is UFU badging. Over all the CFA offices there are UFU flags flying next to the Australian flag. There are fire trucks running around with the UFU badge and their charter. I cannot understand why this government does not stop that.

What is most important about this report is that it brings out not only the fact that they were there and they were actively campaigning for the Labor Party but that they were actually intimidating people who were going to vote. They were there as bullies. They were there blocking to make sure voters took the card. They were there talking and coercing, which is against VEC guidelines on telling people how to vote. They were very menacing. Five or six of these big 6-foot-6 firefighting-uniformed mostly males — I barely saw a female — were intimidating voters as they went up to the polling booth by saying, 'Don't vote Liberal. They don't support firefighters'.

I am pleased to see in this report that there are comments about these people from the Monbulk district and the Ferntree Gully district. They were active at Kallista Primary School, in Upper Ferntree Gully and at Olinda Primary School. The Kallista-The Patch rural fire brigade gave evidence to the committee. I could go on. All over Victoria there is a similar theme. The UFU was actively involved in menacing, intimidating and bullying at polling booths right across Victoria during the campaign.

I say to Premier Daniel Andrews, who is going through this tough little fight with the UFU, that if you lie down with dogs, you get fleas. That is what is happening now with the UFU and the Labor Party in relation to its trials and tribulations in this EBA negotiation. I congratulate the members of the committee for their report.

### **Independent Broad-based Anti-corruption Commission: Operation Ord**

**Ms PENNICUIK** (Southern Metropolitan) — I would like to make a statement today on the Independent Broad-based Anti-corruption Commission report entitled *Operation Ord — An investigation into the conduct of officers of the Department of Education and Training, in connection with the use of 'banker schools' and related activities*. This report outlines the conduct of Operation Ord, which has been complex and

protracted due to the considerable subterfuge involved as well as constraints on the availability of financial data.

The report also outlines departmental practices, organisational culture and the failing of systems and controls which contributed to the corrupt conduct going undetected for so long. I might say that that state of affairs has been allowed to develop by both previous governments. We know that at least \$6.3 million has been caught up in the corrupt payments and the figure is likely to be considerably higher than that. Detailed financial analysis is still continuing.

There was mixed evidence of the involvement of principals and business managers in the conduct under investigation. However, there is evidence that certain people at some banker schools received tangible benefits that at least by inference may reasonably be thought to have been related to their school's participation in the banker school practices. These benefits included bonuses, invitations to conferences or functions, overseas travel and promotion to more lucrative positions. The investigation obtained evidence that not only deputy secretaries but also regional directors used between one and five schools each as banker schools. I have to say that the concept of banker schools is highly questionable.

The report also found:

There was a significant lack of transparency in relation to funds transferred into and out of schools for these purposes. The lack of accountability and transparency clearly suited the purposes of certain senior officers, who were using the banker schools either corruptly or inappropriately.

And:

People who tried to challenge elements of this culture were sometimes subject to significant adverse consequences such as their positions being made redundant, being sidelined or being denied salary increments.

IBAC also considered there to be an acute public interest in this issue:

Many parents and other school community members are also members of school councils. It appeared likely that school councils of certain banker schools had approved expenditure that included payments of false invoices. Many cheques or approvals for those payments were countersigned by a school council member who was not a department employee (usually a parent).

There was thus considered to be substantial interest among a wide cross-section of the Victorian community in exposing any misapplication or waste of those limited resources —

in the education department —

and the weaknesses in the processes and systems that allowed that misapplication to occur over an extended period of time. In particular, members of school councils who may have unwittingly facilitated the misapplication of department funds have a compelling interest in understanding fully how their trust in the system may have been misplaced.

Page 94 of the report says:

The autonomy provided to schools may also have led to questionable conduct including recruitment of family and associates, and inappropriate purchasing.

There was evidence that:

... schools were encouraged to be autonomous but they did not necessarily have the skills or resources to govern themselves in a way consistent with the expectations of public servants.

The report says that the new Secretary of the Department of Education and Training, Ms Callister, 'agreed there is something of a divide between those working in the department' and has 'recognised this was a problem'.

I have to say that this report highlights the risks associated with devolving financial decision-making to schools without the appropriate training and resources for the staff at schools, for principals who may be trained teachers but are not trained in financial management and also for volunteers, who include parents and others. This devolving of financial decision-making to schools was coupled with a general lack of transparency as to the expenditure of public funds by the department, particularly regarding capital works.

Increasing school autonomy has been touted by all governments, with little or no evidence, as improving educational outcomes. The risks to schools in terms of leaving them unsupported have been dismissed. However, increasing autonomy is also a financial risk and needs to be the subject of greater scrutiny and questioning than is the case now by the current government and previous governments. I recommend that people read this report because what has been allowed to go on in the Department of Education and Training for many, many years is quite concerning.

### **Department of Economic Development, Jobs, Transport and Resources: report 2014–15**

**Mrs PEULICH** (South Eastern Metropolitan) — Firstly, I apologise for having to use my phone charger to fire up my iPhone while I speak. I would like to use the opportunity to speak on the annual report for 2014–15 of the Department of Economic Development, Jobs, Transport and Resources as a vehicle — to use a

pun — for making comments about an issue that is absolutely consuming my electorate, and that is sky rail. It is causing sleepless nights and much concern to people from Seaford through to Noble Park, and certainly to people in other electorates as well. In having a look at page 17 of the report and the objectives that this department and this government identify for the area of transport, can I say that sky rail is completely at odds with them. One of the big concerns of course, apart from the destruction of amenity, is the noise. Today the preliminary noise report dropped.

**Mr Davis** — Preliminary? They have already ordered the contract.

**Mrs PEULICH** — Yes, they have got the order a little bit askew, and there is also no business case. I will make some preliminary comments on the preliminary noise report, looking at noise impacts, especially as they apply to the Caulfield–Dandenong line. Indeed a cursory examination of this report shows that it is a fact that elevated rail structures are noisier than structures at grade. This report is not a report which any objective person could reliably use to state that sky rail reduces noise. It does not; it cannot, because sky rail is noisier. Elevated rail creates airborne noise. This report simply outlines mitigation measures which deal with vibration and noise. These mitigation measures can be applied to any other design, and they can be applied equally successfully to rail lines at grade, so it is false to claim that sky rail is quieter than other designs. That is simply false, and it is unfortunate that public funds are being used by the Level Crossing Removal Authority (LXRA) to perpetuate myths. The truth is that sky rail would be far noisier without these mitigation measures.

Now that we know that sky rail is noisier and that mitigation measures can be introduced to any proposal to deal with noise and vibration, let us look at the rest of the preliminary report. Project objectives identified by the LXRA include providing better connected, more vibrant activity centres and improved urban amenity for all users. Urban amenity for whom? All users? How about the impact on residential amenity? It is completely ignored by the government, having only put the sky rail option to the community. One option is not consultation. There are claims that it will create safer communities. Safer communities? That is laughable. Yes, the removal of grade separations will mean increased safety, but it should not be at the expense of local residential areas. I have no doubt that the sky rail will be an attraction for crime and graffiti. It fails on that project objective also. The report states, and I quote:

The proposed solution centres on three elevated sections of modern separated rail viaduct, providing key improvements to local communities including the creation of 225 000 square metres of community space for new shared user paths, parks, playground, sporting facilities, car parking and a range of other uses.

Playgrounds and sporting facilities? Again, that is laughable! The report claims that proposed elevated designs will provide land value increases through integrated transport hubs and superior urban design outcomes. Well, that is farcical. What about the values of existing homes and those apartments that are being built around transport hubs — the multistorey developments? Or is the government only concerned about the value of its own land? The report claims that there will be a reduction in noise due to the removal of level crossing boom gates and bells. I would have thought that any method of grade separation would deliver this. That is quite obvious. The report says there will be fewer horns sounding. Hooray! Again, any level crossing solution will deliver this. That is stating the obvious again.

Clearly the government is trying to sell sound mitigation measures and fewer horns being tooted as the wonders of sky rail. What an absolute joke! What about the real impacts of sky rail and the disregard for communities? Thousands are opposed to seeing their communities destroyed by this government project. The report does not concede noise increases at the locations where there is a change in the gradient of 2 degrees to mount the sky rail. What about the homes and business impacted by the increase in noise? And of course this is only a preliminary report. It is probably not even peer-reviewed, and it only considers one option. It is a sell job to sell sky rail, when the reality is that any design with mitigation measures can be made to look better than it really is.

The report recommends that more work be done, including the assessment of operational ground vibration levels, the assessment of construction noise and vibration impacts. We wait with bated breath, but sky rail is going to be a very big sale. It will be very difficult to sell. The government may impose it on the Caulfield–Dandenong line, but it will be impossible to sell it elsewhere.

### **Goulburn Valley Health: report 2014–15**

**Ms LOVELL** (Northern Victoria) — I rise to speak on the annual report of Goulburn Valley Health for 2014–15. No-one can doubt my commitment to Goulburn Valley Health, given that I have sat here for the past 35 minutes asking you, Acting President, to put speaker after speaker ahead of me as I dealt with a

bloody nose. At one point I thought it was gushing so much that I might need the services of the Goulburn Valley Health emergency department, but I sat here and dealt with it because I was determined to speak about my health service in Shepparton.

Page 12 of Goulburn Valley Health's annual report outlines its service plan and its service priorities within that plan. Together with the Goulburn Valley community I welcomed the announcement by the government last week of \$168.5 million towards the redevelopment of Goulburn Valley Health.

**Mr Davis** — You can take credit for that; you have advocated for it.

**Ms LOVELL** — I thank Mr Davis. Mr Davis says that I can take credit for that. I have advocated very hard for this redevelopment. People in the community have contacted me by email, by text and by coming up to me in the street at an Anzac Day service. I even received flowers from some of the staff at the hospital at my home last week, which was a really lovely touch. I have advocated hard for this hospital because my community deserves a better hospital than the one we have.

However, in welcoming the \$168.5 million we note that it is not a complete redevelopment of our hospital. It is really only a conglomeration of stages 1 and 2 and parts of stage 3 of what was a five-stage master plan. The Premier told us that it is not \$30 million or \$40 million for stage 1, that we will not come back for stage 1A, 1B and 1C and find in 15 years it is not funded. He said that this is the whole thing fully funded. But when you look at it you find the whole thing is not fully funded. It completely ignores the outpatient section of the hospital, mental health and oncology, and of course we will not see improvements in our health service for at least four years.

For the past two reporting periods Goulburn Valley Health has had the dubious honour of coming in absolutely last and being the worst performing hospital in this state, particularly for emergency services, with the December quarter showing that only 50 per cent of people treated in the emergency department were treated on time. In the March reporting period it was 54 per cent, an improvement on December but still far behind every other hospital in the state. So not only do we need this redevelopment that will be delivered in four years time, we will need some interim services to make sure that the hospital can keep up with the demand.

The hospital's service plan outlines its priorities for the next 10 years. These include an expansion of the mental health service, which has been completely ignored in this redevelopment. It also talks about improving Rushworth's services and the co-location of that hospital. That has not been included in the redevelopment of Goulburn Valley Health, and it needs to be addressed for the people of Rushworth. The plan talks about improving local cancer services and everyone in the community being able to access cancer services in their own town, but that is not addressed in the redevelopment.

The plan talks about greater dialysis capacity. That will be addressed in the redevelopment, but not for four years. We currently have a list of 52 people waiting for dialysis services. Of those, 6 are in immediate need and yet that will not be addressed. Renal medicine is particularly bad. The current self-sufficiency of the hospital is only 39 per cent. Orthopaedics is at only 34 per cent, yet there is nothing to improve orthopaedics. Currently it is 440 days on the hidden waiting list before you even get to an outpatient clinic, and the waiting list beyond that — when you get on the official waiting list — is quite long.

We thank the government for what it has done, but more needs to be done to make sure there are adequate services in the interim until the hospital is delivered and in the longer term the complete redevelopment is fully funded.

### **Department of Economic Development, Jobs, Transport and Resources: report 2014–15**

**Mr DAVIS** (Southern Metropolitan) — The Department of Economic Development, Jobs, Transport and Resources (DEDJTR) report for 2014–15 is what I want to talk about in statements on reports and papers today. I want to talk, as Mrs Peulich did, about sky rail and aspects around that project. I note that the Auditor-General today brought down a report entitled *Managing and Reporting on the Performance and Cost of Capital Projects*. He made a number of interesting points at pages 19 and 21 in particular. At page 19 he said:

Planning documents were prepared for all projects except the level crossing removal program. The government committed to remove 50 specific level crossings and the overall business case is currently being prepared for completion in mid-2016.

This is the cart being put before the horse. The government has moved forward with this project without the proper matters in place — without the business case and without the environment effects statement. We saw a dodgy release of sound material

today, and I will say something more about that in a moment, but that has been done without the proper approvals, without the proper steps being taken and without the proper checks and balances being undertaken. The report goes on:

The works to remove level crossings are proceeding, with the first crossings having individual, business cases or project proposals covering, among other things, the key technical elements and deliverability information required in a business case.

However, proceeding with this program without an overall business case is not recommended practice and raises the risks around the timely and efficient delivery of the intended benefits. Precise cost and benefit estimates for the program have not yet been prepared and validated.

At page 21 in figure 2G the reasons for no business case are set out:

VicRoads and DEDJTR have prepared business cases or project proposals for four packages of works comprising 19 crossings in advance of a business case for all 50 level crossings.

There is no business case and there has been a dodgy process, and that is very different from what the Premier said when in opposition. He said he would prepare these business cases, and he has not. It is no wonder that this project is in such trouble.

The noise report released today is laughable. It is a joke of the first order, but a very sad joke because it will affect the people living in this corridor. There are many aspects that make some sense, but many that do not. It is clear that if you put in modern lines with welded joints, new sleepers and good-quality tracks, it will reduce the noise compared with the current noise levels. But equally what this report does not do is assess the impact of sky rail in the long term. What it has not done is undertake proper noise studies. It has not even measured the actual noise that is there now.

Mr White, the person who prepared this report, has admitted that to people along the corridor. He has admitted that he prepared this report simply on information provided by the Level Crossing Removal Authority. This is very dodgy. This is not a report on which the community can rely. It is equally true that the government should have modelled a rail-under-road option. That is the way it should have worked. The business case should have considered options and variations. It should have looked at the cost impacts, the costs of delivery and the environmental, sound and other impacts on the community before it proceeded.

As I said, the cart has been put before the horse — or should I say the caboose before the engine. This is simply the wrong way to go about it. I have to say that

increasingly the performance of the Minister for Public Transport and her department and the Level Crossing Removal Authority is being called into question. These people have not been honest. They have not been truthful in the way they have proceeded with this. I have seen the behaviour at a number of these information sessions, and it is very clear that different stories are told to different people. These are not genuine community consultation processes.

For goodness sake, the sound study came out today after the government had already commenced the project. It is drilling and putting things in place and it is taking steps before the release of the sound studies. It is a joke. It is laughable. This is a very sad process that we are seeing now, and it is quite clear that the community is very angry. More than 7000 people have now put their signatures to have this process stopped. This is not a project that was voted for by the community. They were hoodwinked by the Premier, Daniel Andrews, and I think they have every right to be very angry.

## ADJOURNMENT

**Mr DALIDAKIS** (Minister for Small Business, Innovation and Trade) — I move:

That the house do now adjourn.

### **Country Fire Authority enterprise bargaining agreement**

**Ms LOVELL** (Northern Victoria) — My adjournment matter is for the Premier, and it is regarding the current enterprise bargaining agreement (EBA) negotiations with the United Firefighters Union (UFU) and the impact the agreement may have on volunteer firefighters in my electorate. The action that I seek from the Premier is that he ensure the government refuses to sign the current agreement put forward by the UFU and that he agree to meet with a delegation of volunteer firefighters from my electorate to listen to their concerns and fully appreciate the impact this agreement will have on both the volunteers and the Country Fire Authority (CFA) as an organisation before the government signs up to a new EBA for career firefighters. It is fitting to do this today, because it is St Florian's Day — St Florian is the patron saint of firefighters — and it is also International Firefighters Day.

Preferably the meeting that I have asked for will take place in CFA district 22, as this is the region where most of the volunteers who have raised concerns with me are members. If the Premier cannot come to the volunteers, I am sure they will be prepared to meet with

him in Melbourne. CFA volunteers are rightly concerned about the EBA negotiations, which they believe, if adopted in the current form, would see mass resignations of volunteers and the future of the CFA compromised due to the terms of the agreement.

The volunteers are supportive of their career firefighter colleagues negotiating a fair and reasonable agreement for their conditions of employment and remuneration. However, the volunteers are concerned that this agreement, which is being negotiated by the UFU on behalf of around, I believe, 2000 career firefighters, goes much further, and they are seriously concerned that it will have severe detrimental impacts on the more than 50 000 volunteers whom the UFU does not represent.

The volunteers are grateful that the Minister for Emergency Services has stood firm in opposition to the unreasonable demands in the current agreement. However, they are extremely upset and concerned by reports that the Premier has sidelined the minister in these important negotiations and now appears to be prepared to accept the UFU's demands.

Some of the UFU's demands that the volunteers have the most concerns about are the proposal to give the UFU control over operational decisions of the CFA, including the right of veto over equipment, vehicles and clothing issued by the CFA; the proposal to replace volunteer support staff with paid firefighters; the requirements for union members to report only to other paid staff and not to volunteers when responding to incidents; and the requirement for seven paid firefighters to be on a fireground before firefighting can commence.

The Premier should be under no illusion about the depth of feeling and concern within country communities about this issue. My community members value and appreciate the work our CFA volunteers do and also recognise the irreversible damage this EBA will do to the future of the CFA if it goes ahead in the current form.

The action that I seek from the Premier is that he ensure that the government refuses to sign the current agreement put forward by the UFU and that he agree to meet with a delegation of volunteer firefighters from my electorate to listen to their concerns and fully appreciate the impact this agreement will have on both the volunteers and the CFA as an organisation before the government signs up to a new EBA for career firefighters.

## Maroondah Breast Cancer Centre

**Mr LEANE** (Eastern Metropolitan) — My adjournment matter is directed to the Minister for Health, Jill Hennessy, and it concerns the announcement of funding for the breast cancer centre in Maroondah. The action I would seek from the minister is that she ask her department and perhaps Eastern Health if they could keep me up to date with the progress of the building project so I can alert people in the area, including the many women who are interested in this particular project.

This will be a comprehensive centre that will have breast screening and diagnostic services, as well as a number of other services for women, concentrated in one area. It will cover a large part of the east. It is a project that I think everyone in the east will be very proud of. I look forward to the updates, if the minister is happy enough to accept the action.

*Honourable members interjecting.*

**The PRESIDENT** — Order!

*Honourable members interjecting.*

**The PRESIDENT** — Order! I am most unhappy about that interchange, for obvious reasons. If Ms Shing in particular has some concerns, she might raise them with me.

**Ms Shing** — Privately, if that is all right, President?

**The PRESIDENT** — Order! Absolutely. But certainly whilst I understand that the minister might want to defend his team, the fact is that that is a most inappropriate way of going about it, and again I would rather deal with these matters than have them be part of an interchange in this place. It is inappropriate for all.

## Prostitution exit programs

**Dr CARLING-JENKINS** (Western Metropolitan) — My adjournment matter tonight is for the Minister for Women, Fiona Richardson, and concerns the issue of women in our community who are being silenced, harmed and abused in the sex industry. I call on the minister to ensure the delivery of exit programs for women wishing to leave prostitution.

Exit programs are very popular in many places overseas. They feature support tailored specifically to prostituted women. They can include support such as drug and alcohol addiction counselling; the provision of housing; education, training and retraining; employment training and employment opportunities;

and counselling and support. I recently learnt a lot more about these programs at the abolitionist conference at RMIT University, which coincided with a launch of the book *Prostitution Narratives — Stories of Survival in the Sex Trade*, which I would be happy to supply the minister with a copy of.

The theme of these events was that prostitution harms women. There were many survivors of the sex trade and abolitionist activists from around the world who attended the conference. They spoke about the truth, they spoke about the cost and they spoke about oppression of women and girls in this industry. Survivors very bravely talked about their stories — of damage, of violation, of suffering and violence and of long-term damage physically, emotionally and spiritually — and I commend these women for breaking their silence.

I would like to offer to the minister the opportunity to meet with survivors, who would appreciate an audience. They will tell the minister how hard it was to leave the industry, how there is no help for women attempting to exit and how it feels like a cycle of domestic violence that they are trapped in. They will tell the minister that women wanting to leave the industry are faced with many obstacles and have little to no support to help them leave and to help them transition safely out of this industry.

In her consideration of these exit programs I ask the minister to recognise, as Caroline Norma and Melinda Tankard Reist wrote in the introduction to their book, the prostitution trade for what it is: violence against women. So I call for exit programs; survivors call for exit programs. I hope the minister will listen to this call and champion this cause.

### **Numurkah drug treatment facility**

**Mr DRUM** (Northern Victoria) — My adjournment matter is for the Minister for Mental Health, Mr Foley. It has to do with ACSO, the Australian Community Support Organisation, which is trying to build a 48-bed residential model drug treatment facility in Numurkah, having already attempted to build this facility in Mooropna, where it was told in no uncertain terms by the broader community that the facility was just too close to residential houses and that it would be better off looking in other areas.

ACSO has now identified a farm about 7 or 8 kilometres to the south of Numurkah and currently has an application before Moira Shire Council to build this 48-bed facility to treat up to 350 ice addicts over the course of each year. Not only would it have the

opportunity to treat them but there would also be the opportunity to divert them away from the criminal justice system, as opposed to having them go inside, and I think we are all aware that that can be a serious ongoing problem.

This project will be built in partnership with Neatline Homes, a building company in the Goulburn Valley. The organisation is very keen to assist in the capital build due to its own experiences with the drug ice, and it is very keen to cover a large portion of the cost of the capital build. Odyssey House Victoria, which also runs a very similar but considerably smaller facility at Molyullah on the outskirts of Benalla, will also be a partner in this project.

This is a much-needed facility. I am urging everybody associated with this project to get behind it. Obviously any time any agency wants to build a drug rehabilitation farm anywhere in the world there are always neighbours and people nearby who would rather it not be built next door. In Victoria there is always somebody who will want to take such an application to the Victorian Civil and Administrative Tribunal, and ACSO fully expects that to happen. However, hopefully that can be overcome by the sheer amount of goodwill that exists within the community. We have to do something. We have to be able to continually provide for people who are affected by the drug ice. The drug rehab program that is run by Odyssey House seems to be the best model available currently. I would like to throw my weight behind this project, and I hope others do too, especially the minister, Martin Foley.

### **Western Metropolitan Region small business**

**Mr EIDEH** (Western Metropolitan) — The adjournment matter I wish to raise tonight is addressed to the Minister for Small Business, Innovation and Trade, the Honourable Philip Dalidakis. In Western Metropolitan Region small businesses are part of the thriving local economy. I note the minister has spent time with members in the other place visiting businesses in Western Metropolitan Region to gain a deeper understanding of the various pressures, challenges and opportunities small businesses face. I further note that as recently as 30 March the minister was visiting small businesses in Hoppers Crossing and discussing how the Andrews Labor government can best support them.

I regularly speak with small business owners in my electorate who are seeking assistance with various matters in their business. They are seeking to grow their business and build business resilience for the future. Others look forward to the completion of the removal

of level crossings in Laverton, Werribee, Sydenham and St Albans. I am proud to be part of a government committed to placing small businesses at the forefront of every policy decision it makes.

It is well known that small businesses are a significant driver of economic output in this state, so I am pleased to be able to inform small businesses that the Andrews Labor government is providing them with access to expert advice, support and assistance. There are over half a million small businesses in Victoria, and they represent 97.5 per cent of Victoria's total businesses. I am proud to represent Western Metropolitan Region and to be part of a government which works to support small business.

The action I seek from the Minister for Small Business, Innovation and Trade is to provide me with ways that small businesses in Western Metropolitan Region can access mentoring and other information from Small Business Victoria so they can continue to be competitive and successful.

### Boating safety

**Mr PURCELL** (Western Victoria) — My adjournment matter is for the Minister for Police. Boating and fishing tourism is important throughout western Victoria, all the way from Geelong to the South Australian border. It is particularly important along the Great South Coast, and it has a big impact on the economy, particularly in the Warrnambool, Port Fairy and Portland areas. This is in particular the tuna fishing industry, which is undertaken mainly through the winter. It is a big fillip to the tourist industry through that period, and it makes a substantial contribution to the local economy. Many visitors spend time and a considerable amount of money in our towns, which is an important economic and jobs stimulus in our region. There are many occasions when there are boats lined up for 2 or 3 kilometres waiting to use the boat ramps, and there can be 200 or 300 boats on any one morning.

It has been brought to my attention that many of these visitors are being unreasonably, we feel, targeted by the water police for failing to comply with the boating legislation. The police will not in any circumstances, as we understand it, provide warnings in regard to the boating legislation. There are many instances of people being fined for not wearing life jackets. On the surface that seems reasonable, but the situation that has come to our attention is that when they are docking the boats the skipper gets off the boat to put it onto his boat trailer, at which time he takes the life jacket from his person. He then ties the boat onto the trailer and gets back on the boat to straighten it. When he gets back onto the boat to

straighten it, he is being fined for not wearing a life jacket. We believe this is unreasonable.

I recognise that it is vital that those boating are licensed and that they have a safe environment, but it is concerning that there is a lack of discretion being applied by the water police when interacting with visitors. It is discouraging tourism to our region. I ask the minister to convey our concerns to the water police and suggest a more proactive, more helpful and less zealous approach to encourage boating safety.

### Country Fire Authority training facility

**Mr MORRIS** (Western Victoria) — My adjournment matter this evening is for the attention of the Minister for Emergency Services, and it relates to the replacement training facility for the Country Fire Authority (CFA) at Fiskville. I refer to a media release from the minister in relation to the budget, which in part states:

The budget responds to the closure of CFA Fiskville by providing \$46.2 million to establish a new firefighting training centre in the Central Highlands ...

What is of note in that particular quote is the term 'Central Highlands', because the minister is quoted in the Ballarat *Courier* of 2 March as follows:

Ms Garrett maintained the government remained committed to a Ballan-based site.

'We are doing everything we can to purchase a suitable site in the Ballan area.

It depends on when we can close the sale with those landholders, we are feeling very optimistic at this stage'.

The minister also went on to say that if a site could not be secured, land acquisition would be investigated. Indeed she is quoted as saying:

If we are unable to secure a site in the next little while, then we will have to consider other options including compulsory acquisition of land.

What is of grave concern to me in this discrepancy between the use of the two terms 'Ballan' and 'Central Highlands' is that I fear the minister is using weasel words in an attempt to move the new CFA training facility from Ballan, where she herself has committed the new facility will be built, to somewhere else in the Central Highlands region. I know the shadow minister in the other place, Brad Battin, has been very vocal about the need for the new CFA training facility to be in Ballan. Indeed I have met with Mr Battin as well as Mr Ian Ireland, the captain of the Ballan CFA brigade, at the CFA Fiskville site, as well as with Cr Paul

Tatchell, who has been a strong advocate for the need for the new training facility to be located in Ballan.

The action that I seek of the minister is that she actually commit to building the new CFA facility in Ballan and not somewhere else in the Central Highlands region.

### **Wandong Primary School**

**Ms SYMES** (Northern Victoria) — My adjournment matter is for the Minister for Education. In February it was a great achievement to join with the school community of Wandong Primary School and let them know that the government had agreed to their longstanding request for the purchase of an adjoining property to expand their school. I understand that the department has been in negotiations with the landholder. The principal, Rhonda Cole, and the school community would like to have an update on where the negotiations have got to, so I would like to invite the minister to attend the school community with me to provide an update on that progress.

### **Greater Geelong City Council**

**Mr DAVIS** (Southern Metropolitan) — My matter is for the attention of the Minister for Local Government in the other place, and it relates to the City of Greater Geelong. Geelong is our second largest city in Victoria, a very important city and a city that members are familiar with following the passage through this chamber just one sitting week ago of a bill that laid out a future for the City of Greater Geelong, with a short-term appointment to be made, with Yehudi Blacher acting as administrator for a temporary period and with the appointment of up to three commissioners, as it were, to be made for a longer period. It is important that that early period be brief and succinct. Let us move forward with it. The minister needs to get on with making a swift appointment but also needs to stick with the commitment to consult.

So my matter for the adjournment debate tonight is to ask the minister to make haste with those consultations with the opposition. I am certainly available to have a discussion at a suitable point in good faith and in the spirit in which the negotiation occurred. I note Minister Dalidakis is at the table tonight, and he was the one who in effect, on behalf of the Minister for Local Government, gave that commitment on the record to proceed with consultation prior to the appointment of the three likely individuals as commissioners for the City of Greater Geelong.

As Geelong is Victoria's second largest city, this needs to happen quickly because the people of Geelong need

certainty and predictability. For example, just in the last 48 hours there has been a meeting of the sole administrator which went for 9 minutes. He made very quick decisions. I know that committees of one are able to make quicker decisions than committees that are larger, and I understand that he is acting in good faith. He is a very experienced bureaucrat and a very experienced individual, and I in no way reflect upon him. One of those decisions was to not apply for a rate variation. I am not going to enter the fray of whether the City of Greater Geelong ought or ought not be applying for a variation, but I use that to illustrate the seriousness of decisions that will be made by the three commissioners that are appointed. I would rather a greater pool be making those decisions than a sole administrator alone deciding the fate of Victoria's second largest city.

There is a need for economic stability and for the minister to act quickly. There is a need for clarity so that there is a broader pool with three experienced people making decisions. The opposition remains ready to consult, and I ask the minister to begin those consultations forthwith.

### **Greyhound adoption**

**Ms SHING** (Eastern Victoria) — The matter that I wish to raise this evening is for the attention of the Minister for Racing, the Honourable Martin Pakula, in the other place, and it relates to adopted greyhounds and the rehoming of greyhounds once they have finished with racing or if they are not in fact able to progress with a racing career.

I am an unashamed fan of greyhounds as pets. I think they make the most magnificent pets. They are suitable for all sorts of different environments, whether it be apartments, small houses or open properties with plenty of room to frolic. Thanks to amendments to the Dog Act 1970 along with various initiatives, including the Greyhound Adoption Program (GAP) and the Prison Pet Partnership program, which were initiated under a former Minister for Racing, Rob Hulls, we have been able to see greyhounds domesticated, rehomed and introduced to homes all over the state to complement the work that had already been undertaken with various other adoption programs. Greyhound Adoption Program greyhounds are unique in that they wear a green collar. This indicates that they are not required to be muzzled in public, and indeed they have become, rather fortunately, very trendy. It is lovely to see so many of them walking around.

I would like to ask the Minister for Racing how the Greyhound Adoption Program can be further supported

and call upon him to make further funding and assistance available to provide additional adoption days for greyhounds to build upon the recent work that on 1 May saw 100 per cent of greyhounds offered for adoption at The Meadows being rehomed within a matter of hours. This means 70 additional dogs found their forever homes with new families, couples or individuals who were looking to find the perfect pet. To that end I would ask that the minister make additional funding and resourcing available to support the work of organisations such as GAP and Greyhound Racing Victoria in this regard to provide additional adoption day facilities and to make sure that this excellent pet can continue to reach its potential in more and more households around the state.

### **Native vegetation clearance**

**Mr RAMSAY** (Western Victoria) — My adjournment matter tonight is for the Minister for Environment, Climate Change and Water, the Honourable Lisa Neville. It concerns two very disturbing issues that have been raised by constituents of mine — landholders in fact — in relation to two matters but only one matter that I want the minister to take action on. It is in relation to the Nillumbik Shire Council in Melbourne's outer north-east, which is starting to challenge farmers' right to farm.

The council wants to restrict farm practices by using environmental laws to protect the biodiversity values of the shire. We know the minister is currently seeking submissions to Victoria's review of the native vegetation clearing regulations, and we know those regulations, which farmers are having to adhere to across Victoria, are significantly restricting many farming practices. Submissions on the consultation paper have been extended to 9 May, and that is good, but the disturbing matter here is that we have actually got councils now starting to act as policing bodies in relation to reviewing the environmental significance of the areas that these farmers are farming. These are their farms, and we have a council now becoming proactive and, as I said, acting as a policeman to make sure that farmers adhere to regulations regarding environmental significance.

More disturbingly, I note from conversations with constituents that in fact the government is seeking third parties to police native vegetation regulations, and this means the use of councils potentially to oversight that compliance work or it could be Landcare groups that become active green policemen, going onto farms and making sure that the farmers are adhering to native vegetation laws or environmental laws.

In fact we even have Bill Shorten from the federal Labor Party indicating that if elected, Labor would override state legislation and incorporate even stronger environmental regulation around normal farming practices. To my mind actually having third parties starting to police environmental practices in relation to native vegetation removal is a really disturbing move away from farmers' ability to farm their land in a proper environmental stewardship manner.

I noticed the Victorian Farmers Federation has come out quite strongly in raising significant concerns about any restrictions or more restrictions that might be placed on farmers' right to farm, not only by state legislation but by federal legislation as well.

The action I seek, an action that has to be fairly urgent, is that the minister make it very clear to the farming community that while the government is looking at third-party policemen to oversight environmental stewardship on farms, it will not compromise the right to farm and it will not let the federal Labor Party, if in fact it is elected, to override state legislation in relation to native vegetation.

**The PRESIDENT** — Order! I ask the member to rephrase the action. He put together several different concepts towards the end, and none of them was a real action.

**Mr RAMSAY** — The action I seek is that the Minister for Environment, Climate Change and Water meet with these farmers that have raised concerns with me and clearly articulate what the government's policy is in relation to right-to-farm issues and environment regulation.

### **Western Metropolitan Region constituent**

**Mr FINN** (Western Metropolitan) — I wish to raise a matter for the attention of the Minister for Housing, Disability and Ageing, the Honourable Martin Foley. The issue concerns correspondence I have received from a constituent, Louise Sadler. This is an issue that she has raised with me and others. It concerns a property she owns in Maribyrnong, which was rented by the Department of Health and Human Services. The issue concerns the property's state of disrepair when it was returned to her in May 2015. Ms Sadler explained to me in an email how much she was expecting and how much it cost to actually fix up the property she is talking about.

The concern I have tonight is that Ms Sadler said in her email:

My issue was initially brought to the attention of the office of my local member of Parliament, Ms Marsha Thomson, on 14 January 2016. I emailed videos which summarised my dilemma and copies of all documentation. Subsequently, I attended a meeting at Ms Thomson's office on 18 January 2016 and was later advised my issue was escalated to the minister for housing, Mr Martin Foley, on the day of the meeting. My last communication to Ms Thomson's office was emailed on 13 April 2016, but I am yet to receive a response ...

In the absence of any response from Ms Thomson, I phoned the minister's office on 19 April 2016, and at their suggestion, emailed again all the information the minister has apparently had since 18 January 2016 ... I phoned the minister's office a week later on 26 April 2016 and was told by Michelle, who is apparently a department liaison officer, that my email was not yet available to her. Yesterday, two weeks later, I again phoned and was told initially by Ashleigh that Michelle would get back to me that day and later, at 4.45 p.m., that she was unavailable. Consequently, I advised Ashleigh I clearly needed to address the matter through other channels.

Indeed Ms Sadler has done that by contacting me. My concern is that obviously Ms Sadler has issues. She has been done out of a significant amount of money by the department, and this needs to be rectified. One of the greatest wrongs that can be done by government is for a government department to mistreat people in the community in this way and for it to refuse to accept responsibility and offer payment to people like my constituent, who has had to go through all of these channels. For Ms Sadler to receive absolutely no joy from the minister is just not good enough.

I ask the minister to take this on board, to provide a speedy response to Ms Sadler and to provide a solution to this problem that she has presented to me.

### **Multicultural affairs task force**

**Mrs PEULICH** (South Eastern Metropolitan) — The matter I wish to raise is for the attention of the Minister for Multicultural Affairs. Again it is in relation to the need for the minister, in his responsibility for multicultural affairs, to establish a multi-agency task force to respond to some of the violence associated with young people from different cultural backgrounds, be they the perpetrators, those who are involved, those who are victims or those who are from the families of those involved.

This afternoon during question time we heard questions raised about the fall in the number of students in our vocational education and training sector. We know the importance of international education to the revenue of Australia and to Victoria in particular. We also know

the importance of tourism to our state and of course the importance of community safety and of doing something proactive to support young people from multicultural backgrounds who are perhaps dealing with the cultural conflict that is experienced as a result of migration. Perhaps some of their early experiences have made those early years of integration difficult for them. Parenting methods and in particular family structures do pose significant problems.

A recent issue, which was raised with me by Mr George Hua, is that on the same night as the CBD riots there was concern from members of the Chinese community who had been victims and who contacted Mr Hua by WeChat with photographs and videos of violence. They had approached the police and were unable to make statements or complaints.

Now I actually come across Deputy Commissioner Andrew Crisp all the time. He is an absolutely outstanding operator who genuinely cares about multicultural communities and has his heart in the right place. But what we do need is a task force being brought together with all of the stakeholders to come up with some creative solutions, because the damage of something like that being discussed via WeChat — I have seen little grabs of this — is that nearly 100 000 people saw these images within a very short period of time. It could be dramatically damaging to a sense of community safety for Chinese students, other international students and also tourists.

I think we really need to take this problem very seriously from a range of perspectives, and the only way to do that is indeed by setting up a multi-agency task force. It is already about six months too late. It should have happened when Taskforce Tense was set up by the same minister in his capacity as Minister for Police. I hope it is as a result of the Minister for Multicultural Affairs not being able to speak to the Minister for Police due to his workload, but it is certainly overdue. Action needs to be taken, and I call on him to do so promptly so that we can actually put in place some short-term, medium-term and long-term measures in response to the range of concerns involving victims and perpetrators.

### **Chandler Highway bridge**

**Mr ONDARCHIE** (Northern Metropolitan) — My adjournment matter tonight is for the Minister for Roads and Road Safety, Luke Donnellan. It concerns the Chandler Highway bridge. I have raised this matter with the minister at previous times, and he did tell me that VicRoads has confirmed that the Chandler Highway upgrade will not require the compulsory

acquisition of land from residents of Rex Avenue or the Chandler Highway. However, the VicRoads map shows that part of the land to the west of where Labor is contemplating building the upgrade to the bridge is zoned residential.

I should inform the minister that that is Crown land and it is zoned residential. He should be aware that he would be wrong to think that the land to the west of the bridge that is close to those residents in Rex Avenue can simply be used, because it is zoned residential and therefore would require some changes to the planning scheme. So on behalf of those residents of Rex Avenue and the Chandler Highway in Alphington I seek some assurance from the minister that, consistent with his comments that no compulsory acquisition of land from residents will take place, no land zoned residential will be taken up for the Chandler Highway upgrade.

### Responses

**Mr DALIDAKIS** (Minister for Small Business, Innovation and Trade) — We have had adjournment matters from Ms Lovell to the Premier regarding calling on the government to refuse to sign the Country Fire Authority agreement, from Mr Leane for the Minister for Health asking her to keep him informed about the cancer centre development so he can advise women in his electorate, from Dr Carling-Jenkins for the Minister for Women regarding the delivery of exit programs for women in the sex industry, from Mr Drum to the Minister for Mental Health regarding support for the ice program, and from Mr Eideh to myself regarding a visit to his region which I am happy to make.

There were also adjournment matters from Mr Purcell to the Minister for Police regarding overzealous police enforcement, from Mr Morris to the Minister for Emergency Services requesting that the Fiskville replacement facility be built in Ballan, from Ms Symes to the Minister for Education regarding schools progress updates for her electorate, from Mr Davis to the Minister for Local Government asking that haste be made in relation to consultations with the opposition on the appointment of three commissioners, from Ms Shing to the Minister for Racing regarding the rehoming of greyhounds, from Mr Ramsay to the Minister for Environment, Climate Change and Water in relation to the minister meeting with farmers about right-to-farm issues, from Mr Finn to the Minister for Housing, Disability and Ageing asking that he provide a response to Ms Sadler, from Mrs Peulich to the Minister for Multicultural Affairs regarding the creation of a multi-agency task force, and from Mr Ondarchie to the Minister for Roads and Road Safety regarding the

Chandler Highway upgrade and the issue of compulsory acquisition and clarification of that.

Furthermore, I have a written response to an adjournment debate matter raised by Ms Wooldridge on 14 April 2016.

**The PRESIDENT** — Order! On that basis, the house stands adjourned.

**House adjourned 6.23 p.m.**