

Mr DAVIS (Southern Metropolitan) — I move:

That, in accordance with standing order 11.01, there be tabled in the Council by 12 noon on Tuesday, 8 November 2016, a copy of the Punt Road Public Acquisition Overlay Advisory Committee report submitted to the Minister for Planning on 30 May 2016.

I note for the information of the house that the date has been amended. We had sought to move this earlier, but in the business of the house there was no slot available. There is a slot today and hence the amendment of the delivery date.

The point I want to make here is that this relates directly to an important report. There was obviously a very significant panel hearing and a set of decisions that were made by that panel with information by community, by the City of Stonnington, by VicRoads and by other government agencies presented to the panel. The panel report relates directly to the longstanding public acquisition overlay — more than 50 years in operation now. I put on record that the coalition's policy before the last election was a clearway through that area going north–south along Punt Road, and I note that in recent weeks the government has in effect adopted the coalition's clearway policy for a north–south movement along Punt Road and will purchase car park capacity in a number of locations. That is a step that follows our policy, and we obviously support that step. Notwithstanding that, the longstanding issues around Punt Road and the overlay remain.

The government obviously has that report in its possession now; the Minister for Planning has that report. The report, in my view, ought to be in the public domain. The community ought to be able to see the panel report. It has been quite a while now, and I want to be quite clear here. I thank the minister's office for a short meeting yesterday on this matter, and I put on record my thanks to the staff but also to the minister for providing that briefing, and what they indicated to me in that briefing was that there are obviously a number of options that were canvassed in the hearing that were put forward by VicRoads and others, but the panel has recommended that consideration be given to additional options. Those additional options that are recommended by the panel are not in the public domain, and I believe they ought to be. The community ought to be able to respond to those. The community ought to be able to examine the merits or otherwise of those proposals, and for that reason this documents motion is being brought to the chamber.

I have put forward a one-month delivery date, and I want to just make some comments about the earlier Punt Road motion and some concerns I have about the government's behaviour with respect to that. In the Minutes of the Proceedings of the house listed on the register, Punt Road was one set of documents where I moved a motion and had the support of the house. The resolution was passed on 9 December 2015. A letter was sent to the Secretary of the Department of Premier and Cabinet (DPC) on 9 December 2015. The due date was 20 January 2016. The Attorney-General responded on 18 January 2016 claiming insufficient time. I hasten to add that in that debate I was very clear about one of the points about the urgency of moving that motion. The documents, the studies and the full gamut of information that VicRoads and other government agencies had in their possession ought to have been in the possession of the community enabling it to make submissions to the panel, which occurred in February 2016.

So the motion was moved in early December 2015, I sought delivery in January 2016, delivery was not provided in January and in fact the house will be shocked — or maybe the house will not — to hear that the delivery of the documents was actually on 20 June and the actual tabling was on 21 June. That is seven months after the initial motion and way after the period when the panel met, way after the time when the community could have availed themselves of those documents to make

a considered submission and way after the time when the City of Stonnington could have accessed those documents for a more considered and refined submission.

Inherent within the planning panel's process is actually community input and the community being informed. The planning panel did seek to expand the number of documents that were sought. I notice that a number of the categories that we had moved in the house were later added to the list that the planning panel were seeking to access themselves.

Again I welcome that point. There may need to be some refinement of our own procedures in the chamber so that the essence of the debate is communicated to the secretary of DPC so that it is not just a cold date that is communicated in a letter from the Clerk to the secretary of DPC but that some essence of the debate is also communicated so that the Secretary of the Department of Premier and Cabinet can actually see that there is a clear reason why the documents are being sought and that there is a clear time line that has been set for cogent reasons which relate to the purposes, in this case, of the panel. Having said that, I have communicated my concern in this matter to the minister's staff, and no doubt they will communicate that to him.

I want to make comment on a similar situation which exists in the register of documents motions, and I thank the papers office for access to the register of documents motions and information on the fate of documents motions. The sky rail documents motion that was passed on 24 February and communicated on 24 February had a due date of 22 March, a month later. The reality is that there have been no documents received on this important motion, so I express my concern about the lack of documents available on this motion. There is nothing on the register beyond 21 March, and I think the document of that date is a letter from the Attorney-General saying he is looking at it. So clearly the government has made a decision not to provide those documents, and I certainly indicate to the house that I will pursue those documents.

The documents include: sound and vibration studies; submissions for and against; de-identified copies of communications; electronic presentation of 3-D modelling; minutes and agendas of the community consultation panel chaired by the member for Oakleigh in the Legislative Assembly; assessments of alternate models; and the business case or such of the business case as has been completed. None of these have been provided. Again these ought to be in the public domain. The community has every right to these documents, and I will pursue that further. But I indicate my great concern.

I am sure that in the Legislative Council report tabled minutes ago the chamber's members will focus on page 13, which concerns the production of documents. I think that there is a need to ensure that the non-provision of documents is more adequately captured in the report, and I have suggested to the Clerk that we might look at some way in the future, without making this a voluminous report, to more adequately capture the effectiveness of documents motions or otherwise. A short table might achieve that. You can see in the report the decision of the government to obstruct many documents motions and obstruct the provision of information that I think has critical significance to the community.

I do not want to say much more, other than that the community group Drop Punt and other local community representatives have been in contact with me over this matter. Marcia Griffin contacted me, and I know she is a candidate in the City of Stonnington council elections. Others have also contacted me in support of this very significant motion that is being moved today to get this document.

I make the point here that the minister's reasons for non-provision of the documents do not actually persuade me. In fact they make me more determined to pursue this document. I welcome additional models being looked at by the panel, but I think the community has got to have a say and the City of Stonnington has got to have a say in the process. It has got to be able to put the case cogently for the community's position. I am very much persuaded that the public acquisition overlay is a legacy issue that has to be dealt with very soon indeed, and this panel report will assist the community, the council and others in that process of dealing with that legacy issue.

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Mr DAVIS (Southern Metropolitan) — I will be very brief in reply. Of course much of what was said by Mr Mulino then is complete claptrap. We were the most accountable of all governments and provided the largest number of documents in a huge range of different categories.

Mr Mulino — Yours? Health?

Mr DAVIS — Indeed, absolutely — more than ever before in health. But the point here today relates to Punt Road, and I would argue that this is a very important set of documents. The community have a right — and we heard from the government that the community do not have a right — to these documents. Mr Mulino says it is all about good government, yet good government equals cutting the community out of access to these documents? This government allows VicRoads and the Minister for Roads and Road Safety to have their input, but it does not allow the community to have their chance and their opportunity to see these different options.

I welcome the planning panel producing different options. We have obviously not seen those options — we do not have the benefit of having seen them — but we should. That will enable the community to get a better outcome. I would argue good government is not, as Mr Mulino construed it, about closing down community access to these documents. It is actually about providing community access to these documents and providing the opportunity for the community to refine and improve government outcomes on their own behalf.

Obviously Stonnington has got a huge role there. Mr Carrasco and the range of people with the Drop Punt group are very active in the local area. I believe they have the right to see these documents forthwith. There is no reason why these could not be released this afternoon, and the community could then have that additional input.

I do take exception, though, to some of the commentary of Mr Mulino with respect to other documents. I used two clear examples as shown by the documents register. One related to the earlier Punt Road documents motion and the more than seven-month period in relation to the provision of documents long after the panel process had concluded. It is an extraordinary travesty of democracy. In the case of the sky rail documents, they are still outstanding. There are thousands of documents, some of which I have obtained by other mechanisms — freedom of information. But the Leader of the Government and the ministry have snubbed their noses at the community of the south-east — the community through Murrumbeena, through Carnegie and through Noble Park. They have snubbed their noses at those people, saying, 'We don't believe those documents should be provided'. And you will hear more in this chamber about that extraordinary non-provision since late February this year.

Motion agreed to.