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Port Reform or Political Fraud?

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Mr MORRIS (Mornington) (11:50): I am pleased to rise to make some comments on this alleged ports reform bill, the Transport Legislation Amendment (Port Reforms and Other Matters) Bill 2022.

It establishes Ports Victoria on a legislative basis. I understand it is currently an administrative unit. It defines some functions for Ports Victoria in terms of pilotage and towage, and it renames and, frankly, severely limits the port of Hastings—the current Port of Hastings Development Authority; it limits that enormously. There are some consequential amendments, and there are a number of random changes to other transport acts. Apparently the only common thread is the fact that they are associated with the Department of Transport (DOT), and that appears to be the 'Other Matters' referred to in the short title.

I am glad the member for Footscray says this is an important bill, because it is, but you would never know that from the way the government has approached this issue. This is a serious business.

The port of Melbourne puts through \$26 billion worth of exports each and every year—\$26 billion just of exports, not counting the billions and billions and billions of dollars of imports that go through that port. Yet the government is playing games. They are playing politics with an industry that is absolutely critical not only for trade but for the Victorian economy. It is a central part of the Victorian economy, yet the government is playing games with this whole issue.

They have a strategy that simply does not stand up. It does not stand up in any way at all. Then it says, in the second-reading speech, 'The main purpose of this bill is to get on with the job of implementing commitments made in the response to the independent ports reform'. One of the dot points is:

Implements review recommendations in relation to local ports ...

No, it does not. It does not go anywhere near doing that. So it is about playing games.

They claim that the government have accepted all 63 recommendations of the independent report. It might be more accurate to say they have not rejected any of the recommendations. When you read through the response document, it is clear they have not

accepted them—support in principle or, ‘Yeah, that’s the right direction. We’re heading in that right direction’. That is not what is happening there.

Then we get to the briefing. Now, a few weeks ago I was very complimentary about a briefing the Attorney-General’s office organised for one of the justice bills. It was a thorough briefing and, as I mentioned at the time, conducted very effectively.

With this briefing unfortunately I was detained on committee business, and I was not able to attend. But I understand it was Friday afternoon at 1 o’clock, take it or leave it, and then access to the officers from the Department of Transport was either extremely limited or not available.

That is not acceptable in any way. This is not a rubber stamp. We are legislators. Any member of Parliament is entitled to be briefed properly on a bill and have access to the public service to get an honest answer, not filtered through the minister’s office—any member of Parliament.

For this sort of game to be played with the opposition, the principal alternate party in the Parliament, is completely unacceptable and should not happen.

I want to make some comments about the impact of this legislation on the port of Hastings. Clause 20 of the bill changes the current definition of the Transport Integration Act 2010. The current definition talks about facilitating:

... the development of the port of Hastings as a viable alternative to the port of Melbourne as a container port in order to increase capacity and competition in the container ports sector to accommodate future growth ...

Clause 20 of this bill strips all that out so it is now:

... to manage, develop and operate the port of Hastings consistently with the vision statement and the transport system objectives—

which is already in the existing act. The minister’s press release goes on to say the change will be to:

... reflect its future role and open the potential for investment and development across a range of dry and liquid bulk trades.

In other words it will limit severely the opportunity for the port of Hastings to expand. It does not just limit it, it neuters this organisation. That is effectively what this legislation does. It neuters the port.

It is an endeavour, clearly, to promote the government’s harebrained Bay West scheme, which is a political fix. It is just a political stitch-up. It flies in the face of physical reality, of depths of water, of where trade is occurring, and it makes no economic sense.

The channels leading into the port of Geelong are 12 metres deep and 120 metres wide. The channel leading into the port of Hastings is 14.2 metres deep and 180 metres wide. It makes no sense to move a whole lot of sand out of Port Phillip Bay, with all the environmental damage that that includes, and starve Hastings of trade, in any other way than in a political fix—and that is exactly what this is. That is exactly what this bill is.

We know Infrastructure Victoria is an apologist for this government. Ministers and members will say, ‘Oh, but it’s independent’. It is not independent. There are some good people there,

I do not doubt that for a moment, but their board is dominated by secretaries—secretaries whose job it is to do as the government directs, to follow the policy of the government—so to suggest that Infrastructure Victoria is providing independent advice is complete and utter nonsense.

There are some recommendations in the Independent Review of the Victorian Ports System relating to the need to protect land. Here we go—the need to ensure that there is not inappropriate encroachment on the boundaries of the port environs and to make sure the corridors are retained.

The reality is that the corridors and the land were established in Western Port in the 1970s. I am a former member of the Westernport Regional Planning and Coordination Committee. We reviewed that land and those corridors in the 1990s. They were again reviewed under the then Minister for Roads and Ports in the 2000s. All of that infrastructure is in place, yet it is being ignored by this government in a political stitch-up.

The next point I want to move to relates to local ports. Now, the story of local ports is a very sad one, and despite the Minister for Ports and Freight's claims—I am delighted to see she is at the table—this bill does not implement the review recommendations in relation to local ports.

As the Age reported earlier this year, 19 piers and jetties are completely or partially closed in Port Phillip and Western Port. I have spoken recently about Fisherman's Jetty in the Mornington harbour, which has been closed and, if it is left to the government's own devices, probably will never open again.

The local community has stepped in and is seeking to open it. But the report made clear in terms of local port funding that none of the local ports operations are sustainable without funding administered by DOT and many of the local port assets are now approaching end of life—local port assets approaching end of life.

Then we have the government response, which says absolutely nothing about funding despite a direct recommendation in the review of Victorian ports that funding for local ports needs to be addressed.

What is in the response—'Oh, we'll get to it. We need a funding formula'. Yes, we do need a funding formula, and we need it now, because the local ports framework talks about all the money they are spending—'Oh, we're spending \$16.6 million to fund our local ports program'.

On \$650 million worth of assets that is 2.5 per cent per annum, and the report acknowledges these assets are approaching end of life. So it is not like you are starting with brand new assets and you can work over 40 years, which is what the 2.5 per cent works out to, to deal with those.

The government's own report has indicated these assets are collapsing, they are at their end of life, and this bill and this policy do absolutely nothing to fix that.

There are a number of other changes in regard to the Tourist and Heritage Railway Act 2010, which I think are worthwhile changes, and there is an interesting one that extends to officers of the Victorian Fisheries Authority—or the CEO of the Victorian Fisheries Authority—the capacity to have delegation actions under the Conservation, Forests and Lands Act 1987, which is interesting in this bill.

But this bill as it is presented is a total fraud.