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**Presentation 20070926**

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Brian Walsh &lt;bwa007@gmail.com&gt;

Wed, Sep 26, 2007 at 1:06 PM

To: "admin@kew.org.au" &lt;admin@kew.org.au&gt;

Presentation to Select Committee on Public Land Development

Kew  
26-Sep 2007

Mr Chairman,

On behalf of the Kew Cottages Coalition I would like to welcome you and your Committee to Kew. It has been a long road.

As you are aware we are sorry that today's Public Hearing about the public lands surrounding Kew Cottages is not actually being held in one of the State Heritage listed buildings in the grounds of the Cottages.

However we hope and trust that day will still come to pass, and we thank you and your staff for attempting to bring about such an historic occasion today.

I am here today principally to answer your questions, rather than present large amounts of information collected by the Coalition and our supporters over the past four years. To start with, however, let me try and put what Ann, Geoff, Don, and Max have said into context:

the context of what brings us all together here today;

and more specifically why we seek your help to provide

- a better solution for Kew Cottages
- a better solution for the traditonal owners - black and white
- a better solution for the environment, and
- a better solution for the wider community.

Firstly, What has gone wrong at Kew ?

Geoff Harris has given expert evidence on the land issues starting with the links to La Trobe, onwards through Green Wedges, to Melbourne 2030.

Ann, Don, and Max have given evidence of the apparent discrimination exercised against Victoria's intellectually disabled and their families, both here at Kew Cottages, and in the wider community where hundreds are stuck on Victorian Government waiting lists for accommodation services..

Well now I will simply add this -

In my experience that story of Victoria's failure, neglect, and alienation has been repeated,

and repeated, and repeated in every area we have examined at Kew Cottages. Despite the stalwart efforts of many of the groups and individuals we have dealt with, both within, and outside of Government, both of the two former Governments that have acted as custodians of Kew over the past decade have, at a whole of Government level, failed to properly address:

- the Aboriginal and archeological issues at the Cottages
- the Environmental issues at the Cottages
- the Heritage issues at the Cottages
- plus all those other concerns of the wider community including:
- the infrastructure inc
  - public transport
  - traffic
  - schools and other
  - neighbourhood issues.

You name it Mr. Chairman, and someone invariably seems to have stuffed it up somewhere.

Now for a so called 'Project of State Significance' we say that is not just a mess, that is a disgrace.

And we say it now looks suspiciously like an engineered disgrace, of the kind feared by Dr. Cunningham Dax who made a personal plea over two years ago for an Inquiry such as your's to be established.

Kew now needs you.

Kew Cottages needs your Committee to help fix the problem, because we think you are the only body that currently has the necessary powers to get to the bottom of the problem - the power to investigate widely, thoroughly and properly.

What else have we found to date ?

1. Patterns are now starting to emerge in what has gone on at the Cottages. that need to be further investigated
2. Links between some key Government decisions, and the work of influential political lobbyists need to be further investigated.

For example when the Age broke the story of Senator Richardson's involvement in lobbying on behalf Mirvac and Walker Corporation during the caretaker period of the 2006 election, it wasn't hard to find further evidence of Senator Richardson's lobbying activities stretching as far back as the caretaker period of the extraordinary September 1999 State Election - an election that I am sure your colleague Mr. Viney will remember with some fondness, given his own excellent win in the crucial Frankston by-election just a few weeks later in October 1999.

It wan't hard for the public to find some evidence of Walker Coroporation publicly declared political donations to the Victorian ALP at that time either. For example \$5,000 just 2 days before the 1999 18-Sep Election, and then a further \$50,000 around 10 weeks after Mr. Viney's win in Frankston.

It is harder to be clear who controlled or benefitted from those donations, particularly given Walkers acquisition by Australand in January 2000, but

It was simple to find hard to find evidence that just 10 weeks after the latter (4-Jan 2000) donation, Mr. Justice Einstein in the case of an earlier matter - namely, "*Lakatoi Universal v. L.A. Walker; Ensile Pty Ltd v. Walker Consolidated*", in Supreme Court of NSW accepted:

" as correct that the proper inference is that Ibenmore was used **as front for Mr. Walker to hide his political donations...**" (emphasis added)

Nor is it hard in the age of Google on the Internet for the public to find historical evidence that Mr. Walker apparently now has a reputation, in Sydney at least, for seeking public silence on some of his business matters, as well as public approval of others.

For example in 1997 in the case of the Finger Wharf Affair on Sydney Harbour where:

Insert extracts Jonestown  
(p. 314)  
(p.396)

But what is hard for the public to do unaided is pursue these issues to a satisfactory conclusion - so that everyone involved gets a fair deal, and not just the big end of town who are the only ones with enough inside knowledge to play and consistently win...

Because the odds are stacked against public - particularly in States such as Tasmania - and here in Victoria.

At least in the other States such as WA, Queensland, and NSW - they have taken up the challenge - they have recognised that corruption can be deeply entrenched in State affairs and that it requires special anti-corruption commissions to tackle it.

Victoria unfortunately does not have this luxury.

That is why, Mr. Chairman your role, and your Special Committee and your collective powers are such a vital ingredient in the solution to this problem :

- the problem of discrimination fueled by greed
- the problem of alienation shrouded in secrecy
- the problem of exploitation driven by profit

So we say Mr Chairman, Please Help us

Please help make sure that:

**Victoria puts People Before profit on Public land.**

Thank You for the opportunity to appear before today.

Brian Walsh



# Donor to Political Parties Annual Return

1999/2000

Please refer to the *Funding and Disclosure Handbook for Third Parties* when completing this form.  
A copy of this handbook can be viewed at the Australian Electoral Commission's website at [www.aec.gov.au](http://www.aec.gov.au)

## Donor Details

Name of person or organisation

WALKER CORPORATION LIMITED

Postal Address

C/- LOCKED BAG 22  
EPPING

Postcode 2121

## Details of Person completing the Return

Name

MICHAEL G-A-SMITH

(Write "as above" if you are completing your own return.)

Capacity/Position

COMPANY SECRETARY

(A return for an organisation should be completed by an appropriate officer such as the company secretary or finance manager.)

Postal Address

AS ABOVE

Postcode

Telephone number (BH)

(02) 9395-5999

Facsimile number

(02) 9868-2205

I certify that the information contained in this return and its attachments is true and complete.

Signature

MCASE

Date

10/1/01

The due date for lodging this return is 17 November, 20 weeks after the end of the financial year.

Enquiries and returns should be addressed to:

THE RETURNS OFFICER  
FUNDING AND DISCLOSURE SECTION  
AUSTRALIAN ELECTORAL COMMISSION  
PO BOX E201  
KINGSTON ACT 2604

Telephone: (02) 6271 4416 (02) 6271 4411

Office Use Only

Returns Office

Date Received:

11 JAN 2001

Registration No:

DC505

## 1. Donations made to Political Parties

In the table below list the name and address of each registered political party to whom donations totalling \$1500 or more were made between 1 July and 30 June, along with the date and value of each donation made.

Note, donations include:

- the provision of goods and/or services for free (ie 'gifts-in-kind' as defined in the handbook); and
- discounts given which are not made in the normal course of business.

**A donation made to any person or body with the intention of benefiting a political party is to be treated as donation made direct to that party.**

[illegible]

## 2. Donations received

In the table below list the name, address and the total amount received for those persons and organisations from whom donations of \$1,000 or more were received where those donations received were used, in whole or in part, to make the donations to political parties listed in table 1 above.

[illegible]

1608 I accept as correct the plaintiffs' submission that the proper inference is that Ibenmore was used as a front for Mr Walker to hide his political donations. The evidence establishes:

(a) that Mr Walker conceded that the Helensburgh Unit Trust would not be debited with the Political Donations;

(b) that the Political Parties knew that Mr Walker was involved with Ibenmore, and therefore Walker's other companies could expect to receive any perceived benefit from the donations; and

1609 The appropriate inference is that the subsequent publicity surrounding the donations was the very reason why Walker's wanted the name of Ibenmore changed, and why he procured Mr Hogarth to sign the Electoral Office Declaration.

1610 In any event, the expenditure on the donations was ultimately thrown away, Ibenmore received no benefit whatsoever from these donations. In my view the amount is not recoverable due to Walker's default.



(y) The plaintiffs submit, and I accept, that it should be inferred that all this appears to have been done with Mr Walker's and Mr Dransfield's knowledge and consent. It involved using the joint venture to falsify Walker Corporation's accounts.

(z) In the result it seems clear that the Walker group caused the sum of \$2.7 million to be shown in the accounts of Walker Corporation as an advance by Walker Corporation to Highfield Grove and to show interest thereon accruing in the books of Walker Corporation since the amount was paid.

(za) It is equally clear that the Walker group now accept that there was no loan by Walker Corporation to Highfield Grove of the sum of \$2.7 million. The Walker group accept, as I understood Mr Powell's submissions, that it is appropriate for a declaration to be made that there is no such indebtedness and never was any such indebtedness. [Transcript 481 and 482 of 6 December 1999].

# Media release



## FROM THE OFFICE OF THE PREMIER

**DATE: Friday, May 4, 2001**

### **KEW RESIDENTIAL SERVICES TO BE REDEVELOPED**

The Premier, Steve Bracks, today announced the \$100 million land and residential redevelopment of the century-old institution formerly known as Kew Cottages.

"It is not acceptable in the 21st century to house residents with disabilities in such outdated conditions," the Premier said. "Overcrowded and cramped dormitories will be demolished.

"The land will be sold and the proceeds used to rebuild about 20 new homes for 50 to 100 residents on-site.

"The remaining residents will be relocated closer to family, friends and support services in new homes across Victoria."

The Premier said a new residential subdivision would also be built as part of the development and up to 250 new homes would be built and sold to the general community.

Mr Bracks said the needs of every resident have been individually assessed over the past year.

"The location of their new homes will be based on their long term requirements," he said.

"This is large and complex project that will improve the lives of more than 460 people in our care," Mr Bracks said.

"I must also praise the work of the Kew Cottages Parents Association - their dedication to improving the lives of Kew residents is inspiring."

Planning and approval processes will begin almost immediately with work expected to start within 18 months.

"If Kew Residential Services was not redeveloped, most units would soon need rebuilding or renovating and it would cost millions of dollars," Mr Bracks said.

"At the end we would still have a large segregated institution.

"Instead, the renaissance of this 27 hectare site will span six to 10 years and it will deliver 700 new construction jobs, boosting the Victorian economy.

"There will be a net increase of two hundred disability jobs. There are currently 600 jobs at Kew Residential Services and Kew staff will have the opportunity to take up suitable positions in new services."

Community Services Minister, Christine Campbell, said it was expected about 50-100 residents who had a strong connection with the Kew area would chose to live on site in new homes, supported by professional disability workers.



The remainder of the current 462 residents will relocate to new supported homes where they will be closer to family and friends in suburban or rural Victoria.

“For the first time in their lives, every resident at Kew Residential Services will each have his or her own bedroom and access to a full 30-hour-a-week day activities program,” Ms Campbell said.

Ms Campbell said since the Bracks Government took office, a One Community vision for disability services has been implemented.

“There is not one group of people in our community with a disability and then the rest of us. There is one community and we are all equal partners,” she said.

“The redevelopment of Kew Residential Services demonstrates our commitment to uphold the rights of people with a disability to be active and accepted members of our community.

“We are saying that the Kew residents are a part of our community, not apart.”

Ms Campbell said the One Community vision supported people with a disability and maximised their independent living.

“Last year we injected extra record funding of \$96.6 million into disability, increasing the budget by a massive 16.9 per cent,” Ms Campbell said.

**Title:** Bracks calls attack 'new McCarthyism'  
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**Database:** Australia/New Zealand Reference Centre

## Bracks calls attack 'new McCarthyism'

Edition: 1 - All-round Country  
 Section: Local, pg. 005

VICTORIAN Premier Steve Bracks has labelled criticism of one of his ministers for meeting Graham Richardson a kind of 'new McCarthyism'.

Industry Minister Theo Theophanous confirmed meeting Mr Richardson in recent months to discuss a housing project the former Labor Minister was involved in.

Mirvac yesterday admitted Mr Richardson had acted on its behalf to gain consent from the Victorian Government for a transfer of ownership of the Kew Cottages project in Melbourne from Walker Corporation to Mirvac.

Mr Richardson is facing allegations of tax avoidance over a substantial parcel of shares in the Offset Alpine Printing Group and has been hit with a \$2.3million bill from the tax office.

Mr Bracks -- who is drawing up a code of conduct for lobbyists in Victoria -- said he did not see the problem with Mr Richardson's dealings with his Government over the \$400million redevelopment of the Kew Cottages home for people with disabilities.

'I don't see what the point is really,' Mr Bracks said. 'We have a new McCarthyism where companies are prevented from having people to advise them.'

Victorian Opposition Leader Ted Baillieu yesterday criticised the Government for endorsing Mr Richardson's 'whatever it takes' approach to politics and said he would welcome a code to regulate lobbyists.

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LAD07/81577

**Mr Brian Walsh**  
**President**  
**Kew Cottages Coalition**  
**22A Fellows Street**  
**KEW VIC 3101**

**Dear Mr Walsh**

**KEW COTTAGES**

Thank you for your recent correspondence to the Premier.

This issue falls within the portfolio responsibility of the Minister for Community Services, the Hon Lisa Neville MP. Therefore, I have referred your correspondence to the Minister at the Department of Human Services for consideration.

Should you require further information regarding this correspondence, you may contact the Ministerial Correspondence Unit at the Department of Human Services directly on ☎ 9637 8000.

I appreciate the time you have taken to write.

**Yours sincerely**

**GEOFF WALSH**  
**Chief of Staff**

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## Kew Cottages.

"Asylum to Community" was a book sponsored by the World Federation for Mental Health and launched in New York in 1961. It is probably the most important publication written on the Australian Mental Health Services. On pages 124 to 126 there is an illustrated account of the dreadful conditions, the appalling neglect and the gross overcrowding at the Kew Cottages.

Publicity given by a sympathetic press resulted in a public appeal, individual donations and extensive support from the Melbourne Rotarians, the Lions Clubs and other Service Groups. The Kew Cottages Parents Association, the Retarded Children's Organizations, the C.W.A., the Tipping Foundation, the Master Painters, the Parks and Gardens and many more gave enormous help towards the reform of the Cottages.

I would urge that each of these bodies should apply pressure upon the Government to hold a Judicial Enquiry into the sale of the Crown Lands surrounding the psychiatric Hospitals (before they were destroyed) and the centres for the intellectually handicapped, in particular the Kew Cottages. Such an Enquiry would identify the persons connected directly or indirectly with the building organizations who are erecting the houses or have a financial interest in the destruction of the hospitals and the sale of their lands. It would also discover what has happened to the large amount of money obtained in this way.

In the case of the Cottages it is not clear whether the Government has an advisor who has experience and knowledge of intellectual handicap and if so whether he or she has been consulted.

It should have been shown that adequate provision for the severely handicapped, who need everything done for them, is essential. Two special wards were built for such people and they should be expanded and improved, rather than demolished.

Next a village is required for the many who have a moderate degree of handicap giving them the necessary facilities for their training and development. They are happiest amongst others with similar interests and abilities. Such a village should have been designed and built on the Cottages land instead of it being sold for immoral profits.

Thirdly there are very many people with a mild degree of intellectual handicap who live a satisfying life within the community and are occupied, stable and useful family members. Facilities should be available for them to seek help from appropriate Government services when they are needed, including temporary hostel accommodation.

It is difficult to know how the present situation can be remedied, but a Judicial Enquiry would at least curtail the future activities of those who have destroyed the service. It would also show ways in which the future care of the handicapped, as well as the rehabilitation of the mentally ill, could be reorganised and so dissolve the partnership developed between the Government and some building firms.

Lastly, the large amount of money which has already been obtained through the sale of the land should be entirely devoted to the neglected mental health services and not flaunted as a benevolent gift to the neglected organizations.

Dr. E.Cunningham Dax A.O.  
Onetime Chairman of the Victorian Mental Health Authority.