

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Wednesday, 27 February 2008

(Extract from book 2)

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By authority of the Victorian Government Printer

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Professor DAVID de KRETZER, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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Minister for Roads and Ports	The Hon. T. H. Pallas, MP
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Minister for Housing, Minister for Local Government and Minister for Aboriginal Affairs	The Hon. R. W. Wynne, MP
Cabinet Secretary	Mr A. G. Lupton, MP

Legislative Assembly committees

Privileges Committee — Mr Carli, Mr Clark, Mr Delahunty, Mr Lupton, Mrs Maddigan, Dr Naphthine, Mr Nardella, Mr Stensholt and Mr Thompson.

Standing Orders Committee — The Speaker, Ms Barker, Mr Kotsiras, Mr Langdon, Mr McIntosh, Mr Nardella and Mrs Powell.

Joint committees

Dispute Resolution Committee — (*Assembly*): Mr Batchelor, Mr Cameron, Mr Clark, Mr Holding, Mr McIntosh, Mr Robinson and Mr Walsh. (*Council*): Mr P. Davis, Mr Hall, Mr Jennings, Mr Lenders and Ms Pennicuik.

Drugs and Crime Prevention Committee — (*Assembly*): Mr Delahunty, Mr Haermeyer, Mr McIntosh, Mrs Maddigan and Mr Morris. (*Council*): Mr Leane and Ms Mikakos.

Economic Development and Infrastructure Committee — (*Assembly*): Ms Campbell, Mr Crisp and Ms Thomson. (*Council*): Mr Atkinson, Mr D. Davis, Mr Tee and Mr Thornley.

Education and Training Committee — (*Assembly*): Mr Dixon, Dr Harkness, Mr Herbert, Mr Howard and Mr Kotsiras. (*Council*): Mr Elasmarr and Mr Hall.

Electoral Matters Committee — (*Assembly*): Ms Campbell, Mr O'Brien, Mr Scott and Mr Thompson. (*Council*): Ms Broad, Mr Hall and Mr Somyurek.

Environment and Natural Resources Committee — (*Assembly*): Ms Duncan, Mrs Fyffe, Mr Ingram, Ms Lobato, Mr Pandazopoulos and Mr Walsh. (*Council*): Mrs Petrovich and Mr Viney.

Family and Community Development Committee — (*Assembly*): Mr Noonan, Mr Perera, Mrs Powell and Ms Wooldridge. (*Council*): Mr Finn, Mr Scheffer and Mr Somyurek.

House Committee — (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Mr Delahunty, Mr Howard, Mr Kotsiras, Mr Scott and Mr K. Smith. (*Council*): The President (*ex officio*), Mr Atkinson, Ms Darveniza, Mr Drum, Mr Eideh and Ms Hartland.

Law Reform Committee — (*Assembly*): Mr Brooks, Mr Clark, Mr Donnellan and Mr Foley. (*Council*): Mrs Kronberg, Mr O'Donohue and Mr Scheffer.

Outer Suburban/Interface Services and Development Committee — (*Assembly*): Ms Green, Mr Hodgett, Mr Nardella, Mr Seitz and Mr K. Smith. (*Council*): Mr Elasmarr, Mr Guy and Ms Hartland.

Public Accounts and Estimates Committee — (*Assembly*): Ms Graley, Ms Munt, Mr Scott, Mr Stensholt, Dr Sykes and Mr Wells. (*Council*): Mr Barber, Mr Dalla-Riva, Mr Pakula and Mr Rich-Phillips.

Road Safety Committee — (*Assembly*): Mr Eren, Mr Langdon, Mr Mulder, Mr Trezise and Mr Weller. (*Council*): Mr Koch and Mr Leane.

Rural and Regional Committee — (*Assembly*): Ms Marshall and Mr Northe. (*Council*): Ms Darveniza, Mr Drum, Ms Lovell, Ms Tierney and Mr Vogels.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Mr Brooks, Mr Carli, Mr Jasper, Mr Languiller and Mr R. Smith. (*Council*): Mr Eideh, Mr O'Donohue, Mrs Peulich and Ms Pulford.

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

Parliamentary Services — Secretary: Dr S. O'Kane

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FIFTY-SIXTH PARLIAMENT — FIRST SESSION

Speaker: The Hon. JENNY LINDELL

Deputy Speaker: Ms A. P. BARKER

Acting Speakers: Ms Beattie, Ms Campbell, Mr Eren, Mrs Fyffe, Ms Green, Dr Harkness, Mr Howard, Mr Ingram, Mr Jasper, Mr Kotsiras, Mr Languiller, Mr Lupton, Ms Marshall, Ms Munt, Mr Nardella, Mrs Powell, Mr Seitz, Mr K. Smith, Mr Stensholt and Mr Thompson

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The Hon. J. M. BRUMBY (from 30 July 2007)

The Hon. S. P. BRACKS (to 30 July 2007)

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. R. J. HULLS (from 30 July 2007)

The Hon. J. W. THWAITES (to 30 July 2007)

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Mr E. N. BAILLIEU

Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition:

The Hon. LOUISE ASHER

Leader of The Nationals:

Mr P. J. RYAN

Deputy Leader of The Nationals:

Mr P. L. WALSH

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Blackwood, Mr Gary John	Narracan	LP	Morand, Ms Maxine Veronica	Mount Waverley	ALP
Bracks, Mr Stephen Phillip ¹	Williamstown	ALP	Morris, Mr David Charles	Mornington	LP
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Cameron, Mr Robert Graham	Bendigo West	ALP	Nardella, Mr Donato Antonio	Melton	ALP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Carli, Mr Carlo Domenico	Brunswick	ALP	Noonan, Wade Mathew ⁴	Williamstown	ALP
Clark, Mr Robert William	Box Hill	LP	Northe, Mr Russell John	Morwell	Nats
Crisp, Mr Peter Laurence	Mildura	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
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Delahunty, Mr Hugh Francis	Lowan	Nats	Pandazopoulos, Mr John	Dandenong	ALP
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Eren, Mr John Hamdi	Lara	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
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Helper, Mr Jochen	Ripon	ALP	Stensholt, Mr Robert Einar	Burwood	ALP
Herbert, Mr Steven Ralph	Eltham	ALP	Sykes, Dr William Everett	Benalla	Nats
Hodgett, Mr David John	Kilsyth	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
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Ingram, Mr Craig	Gippsland East	Ind	Victoria, Mrs Heidi	Bayswater	LP
Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Wakeling, Mr Nicholas	Ferntree Gully	LP
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Kotsiras, Mr Nicholas	Bulleen	LP	Weller, Mr Paul	Rodney	Nats
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Languiller, Mr Telmo Ramon	Derrimut	ALP	Woodridge, Ms Mary Louise Newling	Doncaster	LP
Lim, Mr Muy Hong	Clayton	ALP	Wynne, Mr Richard William	Richmond	ALP

¹ Resigned 6 August 2007

² Elected 15 September 2007

³ Resigned 6 August 2007

⁴ Elected 15 September 2007

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Wednesday, 27 February 2008

The SPEAKER (Hon. Jenny Lindell) took the chair at 9.34 a.m. and read the prayer.

RULINGS BY THE CHAIR

Member for Nepean: comments

The SPEAKER — Order! Yesterday the member for Nepean in his contribution to the debate on the annual statement of government intentions made a serious reflection on the authority and the duty of the Chair to protect the privilege of members of this chamber. He did so in a manner that questioned the integrity with which the Speaker has performed that duty. Given his position in this chamber and the fact that this issue has been raised earlier in this sitting, I view the comments made yesterday by the member for Nepean as extremely serious, indeed offensive, and I seek his immediate apology.

Mr DIXON (Nepean) — I apologise for the comments I made.

Parliament House: public gallery responsibilities

The SPEAKER — Order! On Tuesday, 5 February, I was requested by the Leader of the House to clarify the policy of groups, other than school groups, making bookings for the public gallery for question time. I was also asked for advice pertaining to the responsibility that individual members of Parliament have for the behaviour of groups or individuals they bring into the gallery as guests.

As I outlined to the house at the close of question time on Tuesday, 5 February, I was extremely concerned that the privilege of all members had been compromised in that the business of the house had been impeded by the behaviour of those present in the public gallery on that day. I am advised that the gallery had been booked by a group — Plug the Pipe — and at the time of the booking the group indicated that the office of the member for Benalla had directed it to our booking office.

A range of guidelines have been in place to ensure that the house is not disrupted; however, ad hoc changes have been made to those guidelines over time. I wish to inform the house that the following guidelines are now in place. A seat in the gallery is available to members of the general public on a first-come, first-serve basis. Bookings for the gallery will be accepted for school

groups and community groups from a member's electorate where the booking is made by the member or his or her staff. Members will be accountable to the Speaker for their guests' behaviour. Delegations or visits by members of organisations that are not electorate specific will be made through the Speaker's office or the Serjeant-at-Arms. Guidelines will be posted on the intranet later in the week.

NOTICES OF MOTION

Notices of motion given.

Mr THOMPSON having given notice of motion:

Mr McIntosh — On a point of order, Speaker, yesterday the member for Evelyn gave a notice of motion in the house and delivered a copy to the Clerk in accordance with the procedures of this place. It contained a quote at the end of the notice of motion, but in the Assembly notice paper, under motion no. 708, that quote has been deleted.

The SPEAKER — Order! We will follow that issue up and come back to you privately.

Further notice of motion given.

BUSINESS OF THE HOUSE

Notices of motion: removal

The SPEAKER — Order! I advise the house that under standing order 144 notices of motion 98 to 109 will be removed from the notice paper on the next sitting day. A member who requires the notice standing in his or her name to be continued must advise the Clerk in writing before 6.00 p.m. today.

PETITIONS

Following petitions presented to house:

Water: north–south pipeline

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house the proposal to develop a pipeline which would take water from the Goulburn Valley and pump it to Melbourne.

The petitioners register their opposition to the project on the basis that it will effectively transfer the region's wealth to Melbourne, have a negative impact on the local environment, and lead to further water being taken from the region in the future. The petitioners commit to the principle that water

savings which are made in the Murray–Darling Basin should remain in the MDB.

The petitioners therefore request that the Legislative Assembly of Victoria rejects the proposal and calls on the state government to address Melbourne's water supply needs by investing in recycling and capturing stormwater.

**By Dr SYKES (Benalla) (774 signatures)
Mr WALSH (Swan Hill) (260 signatures)**

Industrial relations: employee rights

To the Legislative Assembly of Victoria:

The petition of the undersigned residents of Victoria draws to the attention of the house:

the Federal Court struck out Hilda Zhang's claim of unlawful termination of employment, which is certified by the Industrial Relations Commission, and ordered her to pay the employer's cost, holding that her claim was vexatious or without reasonable course because she only complained her former employer's unlawful instructions and activities to the employer, the auditor, the unions, Victorian Employers Chamber of Commerce and Industry, the ATO and the WorkCover et cetera other than court or tribunal before the termination. The judgements of the Federal Court do not uphold the employee's right and obligation to uphold and obey law in the workplace under the commonwealth constitution.

The petitioners therefore request that the Legislative Assembly of Victoria:

ensure that employees' rights under the constitution are upheld by the laws and courts;

ensure that the Attorney-General of Victoria responds to Hilda Zhang's notice of a constitutional matter, which is certified by the High Court, and intervenes the matter in the High Court under section 78B of the Judiciary Act 1903.

By Ms THOMSON (Footscray) (1188 signatures)

Yarriambiack Creek: environmental flows

To the Legislative Assembly of Victoria:

The petition of the residents of Victoria draws to the attention of the house the need to save the Yarriambiack Creek and for Grampians Wimmera Mallee Water and the Wimmera Catchment Management Authority to acknowledge the environmental, social, economic and recreational values of the Yarriambiack Creek to all the residents along its length including Jung, Warracknabeal, Brim, Beulah and Hopetoun.

The petitioners therefore request that the Legislative Assembly of Victoria urges the state government and the Minister for Water to ensure that the Yarriambiack Creek receives its fair share of all flows in the Wimmera River, in line with the 1967 agreement of a three-to-one split.

By Mr WALSH (Swan Hill) (1933 signatures)

Tabled.

VICTORIAN COMPETITION AND EFFICIENCY COMMISSION

Simplifying the Menu — Food Regulation in Victoria

**Mr BATCHELOR (Minister for Community
Development), by leave, presented report of
September 2007 and government response.**

Tabled.

DOCUMENTS

Tabled by Clerk:

Auditor-General — Agricultural Research Investment,
Monitoring and Review — Ordered to be printed

EastLink Project Act 2004:

EastLink Concession Deed First Amending Deed

Variation Statement Nos 10–28 (19 documents)

*Project Development and Construction Management Act
1994* — Nomination order under s 6, application order under
s 8 and a statement under s 9 of reasons for making a
nomination order (three documents)

Statutory Rules under the following Acts:

Rail Safety Act 2006 — SR 9

Subdivision Act 1988 — SR 8

Transfer of Land Act 1958 — SR 8

Veterinary Practice Act 1997 — SR 7

Subordinate Legislation Act 1994:

Ministers' exemption certificates in relation to Statutory
Rules 8, 9.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Membership

The SPEAKER — Order! I have to announce that I have received the resignation of Ms Graley from the Public Accounts and Estimates Committee, effective from 26 February 2008.

**Mr BATCHELOR (Minister for Community
Development)** — By leave, I move:

That Mr Noonan be appointed a member of the Public
Accounts and Estimates Committee.

Motion agreed to.

MEMBERS STATEMENTS

Water: government policy

Ms ASHER (Brighton) — I draw to the attention of the house that over the past five years the Labor government has announced 14 water plans but has still not been able to secure any additional water supplies. People want water supply now, not plans, stunts, announcements, press releases and booklets. I refer to the fact that the government has had the green paper, the white paper, the next stage of the government's water plan, central region plans and so on.

However, it is in the area of industry plans that we have now seen high farce. In April 2003 the government announced that it would invite the top 200 industrial water users to write a plan, which they were to be given three years to complete. The government announced in June 2004 that the top 1500 industry users would do plans when the top 200 plans were completed.

In February 2007 the government announced that the top 1500 users would start their plans. In July 2007 the government announced that the top 2100 users would write water management plans and be required to register their intention to submit a plan by 14 September. They were then given a deadline of 31 December 2007. In the area of industry plans there has been a total of four years and eight months for industry to write plans. What the public wants is no more plans. The public wants an augmentation of water supply.

Knox: skate bowl

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — I rise to congratulate David Lalama of Save Knox Bowl and his hundreds of supporters who have campaigned strongly to save the Lewis Park skate bowl in Knox. This has been a major issue for young people in the area since Knox City Council recently opened a new skate facility 5 kilometres away at Gilbert Park and planned to close the old bowl in Lewis Road.

Last Friday night I saw both facilities in action, and I have much sympathy for the position of the Save Knox Bowl group. Each facility was as busy as the other, and while Gilbert Park is magnificent, with amazing architectural and design features, I was convinced by the Save Knox Bowl group that this new facility is more suited to those with a bit of experience and is not really for beginners and young children. The much-loved older facility at Lewis Park is also better suited for BMX riders. I am really pleased that Knox

council last night reconsidered its position and agreed to keep the Lewis Road park open. Both Save Knox Bowl and Knox council should be commended on this outcome.

Girls Together: positive body image grant

Mr MERLINO — I would also like to congratulate the group of eight Ferntree Gully and Upper Ferntree Gully students who run Girls Together workshops promoting positive body image among their peers. This group is based in and supported out of Coonara community house. With the help of a Brumby government positive body image grant the group's work has attracted attention both interstate and overseas.

It gives me great pleasure to announce that the Brumby government has committed a further \$2000 to enable the girls to create a DVD which will help other organisations conduct similar initiatives. The commitment of these young women to helping others overcome negative — —

The SPEAKER — Order! The member's time has expired.

Rail: north-eastern Victoria

Mr JASPER (Murray Valley) — I again bring to the attention of the house the deplorable passenger rail services being provided to people living in north-eastern Victoria. As a strong supporter of passenger rail I have been advocating a major upgrading of the service for many years. What is required is a huge injection of capital by the state government, similar to the amount spent on the Ballarat and Bendigo lines to Melbourne, for rolling stock and line maintenance. Despite the substandard service we are receiving, people continue to utilise the train service, partly due to the 50 per cent reduction in fares. However, the service has gone from bad to worse with the introduction of a bus service for passengers from Albury-Wodonga to Wangaratta to join the train due to the urgent need for track maintenance.

V/Line management and staff are in an invidious position, being a statutory corporation seeking to provide a service with rolling stock that is over 35 years old and rail track that has deteriorated, in some sections being almost unusable due to lack of maintenance. The massive representation I continue to receive from constituents relates to issues of air conditioners not working, toilets overflowing or not operating, water fountains not operating, canteens not open or not properly stocked, dirty carriages, engine breakdowns

and late trains. That has now been topped off by the joint bus-train service extending travel times and highlighting the inadequacy of the service. I implore the transport minister to acknowledge the huge problems we have with the north-eastern train service and urgently confirm corrective action which can be taken, with additional funding being provided.

Women: suffrage centenary

Ms MORAND (Minister for Children and Early Childhood Development) — A very significant milestone in Victoria's democratic history will occur this year as we celebrate 100 years since Victorian women won the right to vote in Victorian state elections. The first bill for women's suffrage was introduced in 1889. In 1891 a petition with 30 000 signatures was tabled in Parliament requesting equal democratic rights for women. This year we will celebrate this milestone across Victoria with over 50 community events and activities.

When you visit the city you might see the City Circle tram that has been painted in the suffrage colours of purple, green and white and features two of the women who were leaders in the campaign for women's suffrage — Vida Goldstein and Annette Bear-Crawford. Thanks to Yarra Trams for making this possible.

When the Deputy Premier and I launched this tram last week we were joined by women ministers, current and former members, the Speaker and former speakers and, very importantly, descendants of people who signed the petition and descendants of those suffragists who organised the campaign.

Isabelle Joy Bear

Ms MORAND — One of those on the tram was Isabelle Joy Bear of Mount Waverley, who prefers to be known as Joy. Joy is the great niece of Annette Bear-Crawford, who was one of the suffragists who organised the petition.

Joy herself is a very accomplished woman, who worked for CSIRO and was a champion of equal opportunity for women in science. Her career in science began in 1944 and she was the first woman to be appointed to the research ranks of the CSIRO. She rose to the position of senior principal research scientist at CSIRO.

The DEPUTY SPEAKER — Order! The member's time has expired.

Lonsdale Street, Melbourne: Hellenic precinct

Mr KOTSIRAS (Bulleen) — Once again this Labor government has shown that it cannot manage and complete a project on time and on budget. The \$8 million that was promised before the last election to the three cultural precincts seems to have been forgotten. It has been one and a half years since the announcement and yet not a single tree has been planted or a single tile laid in Lonsdale Street. This government has failed to transform Lonsdale Street to its former glory as the heart and soul of the Greek community and a place where all Victorians can enjoy the Hellenic spirit, Hellenic culture and Hellenic hospitality.

We on this side of the chamber want to see Lonsdale Street once again become the Hellenic precinct it once was in Melbourne. But we also want all the key stakeholders to have a say and an input. We need to work together to bring the Hellenic culture, commerce and entertainment back to Lonsdale Street. Currently we have a Labor government threatening owners with compulsory acquisition of their property, but it seems incapable of sitting down and discussing the future of Lonsdale Street with the Melbourne City Council, the Greek Orthodox community of Melbourne and the relevant property owners along Lonsdale Street.

A fair and acceptable compromise can be found if this government is prepared to talk. If this Labor government is unwilling to talk and unable to find an answer, I am happy to do the work for them. I am happy to bring people together, to find a solution to this Labor Party-made impasse. Unlike the Labor Party that pushes people apart, we want to bring people together. Often this Labor Party forgets that it is the government. It should put its money with its hollow rhetoric and stop treating the Greek community with contempt. After all, it promised this project while in opposition; it promised this project in government and — —

The DEPUTY SPEAKER — Order! The member's time has expired.

Jack and Eveline Hallowell

Ms KOSKY (Minister for Public Transport) — I would like to acknowledge the excellent work that Jack and Eveline Hallowell in my electorate have done in the community, and very recently they celebrated their 50th wedding anniversary. They have been able to do a lot of work in the community and remain very happily married.

Jack has been on the Koorringal golf club committee. He has been with the Truganina Reserve Friends Group; he was the founding member and a current member of Neighbourhood Watch; he is the secretary of the Altona ALP branch and has been so for 16 years; he has been actively involved in the Bluey Day Foundation conducting fundraising at both Werribee Plaza and Altona Gate each year; and he has also worked very actively with the police in a voluntary scheme to engrave bikes to prevent them being stolen.

Eve was very active with the Newport Community Centre until her health recently prevented her from continuing. Both Eve and Jack have done voluntary work on a very regular basis for a long period of time at the St George aged care facility. Both have always lent a hand on community issues and they were very much part of the campaign to save the Altona hospital, which the Kennett government closed. They are very active members of the community and I want to congratulate them on 50 years of being happily married.

Police: Mornington Peninsula

Mr DIXON (Nepean) — On 12 February I attended a public meeting called to discuss concerns about police numbers on the Mornington Peninsula. The meeting was attended by police members, community groups, business owners and individuals. The basic problem is the difference between the number of police officers assigned to a police station and the actual number available for duty on any one day. For example, a local police station has 36 members assigned to it but usually there are only 24 or so members available due to leave of various sorts, mickey mouse secondments and WorkCover. Therefore this station is regularly down one-third of its force, which means more pressure is put on the remaining two-thirds to work longer hours and endure more pressure. On two occasions a sergeant has had to close a 24-hour police station due to a lack of numbers.

Although general crime is down, crimes against the person have increased by 56 per cent on the Mornington Peninsula. This is the type of crime that really concerns and upsets the people of my electorate. One disturbing aspect that came out of the meeting was that police are afraid to speak out about various industrial and service issues. Inspector Gordon Charteris has had the guts to speak out and was given a standing ovation by the meeting for daring to speak out with the truth. I, along with the members for Mornington and Hastings and all the meeting, voted unanimously to support the Mornington Peninsula's police, increase the number of police on the Mornington Peninsula, call for an audit of the real

police numbers and, as I am doing now, request members of Parliament to raise this issue with the government.

Upper Beaconsfield: community centre

Ms LOBATO (Gembrook) — I recently attended a graduation ceremony for students from the Upper Beaconsfield community centre, and had the privilege of presenting certificates to all the successful graduates. Upper Beaconsfield is a unique community centre that was established in the aftermath of the Ash Wednesday bushfires. Since that time it has become an integral part of the community, offering a range of recreational and professional pursuits as well as child-care services. It serves as a community hub, not only for courses but for meeting people and building community networks.

These recent graduates successfully completed either the certificate III in aged-care work or the certificate IV in training and assessment. These courses have been offered for around 10 years and allow residents in this area to study locally to further their careers. The courses involve the commitment of one evening every week for a year as well as additional work to be completed at home. Given that many of these students have parental and other responsibilities to juggle, such as employment, they have made remarkable achievements in completing the course requirements.

The Upper Beaconsfield community centre has developed such a strong reputation for course delivery that many attend there on the basis of word-of-mouth recommendations. The commitment to ensuring continuing high standards of delivery has helped cement the centre's outstanding reputation. I would like to congratulate all course graduates, along with tutors Isabella Hastings and Lynne Baxter and coordinators Alison Ryan and Liz Grigg.

With the recent 25th anniversary of the Ash Wednesday bushfires, it is timely to remember that this centre was one of the positive and lasting legacies — —

The DEPUTY SPEAKER — Order! The member's time has expired.

Firearms: licensing

Dr SYKES (Benalla) — Many firearms organisations and owners have written to me outraged that this government intends to increase dealer fees by over 600 per cent to \$7000 per annum. If allowed to proceed, this will result in many smaller dealers shutting up shop, thus making it hard for farmers and legitimate shooters to access ammunition and firearms.

This fee increase is based on the premise of cost recovery. However, as usual the government has failed to ensure that the systems are operating at maximum efficiency. One very effective cost-cutting measure for the licensing services division would be to fast-track firearms licence renewals, as occurs with drivers licences. This simplified renewal process would be consistent with the national firearms agreement. But rather than adopt this common-sense approach the government wants to tax legitimate firearms owners out of business.

My coalition colleagues the members for Kew and Benambra have met with firearms organisation representatives, and the Liberals and Nationals are in 100 per cent agreement that the fee increase is grossly unjust. I call on the Minister for Police and Emergency Services to reject the proposed fee increase and to get on with the job of tackling illegal firearms users rather than continuing to penalise law-abiding firearms users.

State Emergency Service: Gisborne unit

Ms DUNCAN (Macedon) — Late last year I was very pleased to announce that \$100 000 from the community safety emergency support program, or CSESP, would be provided to help replace the Gisborne State Emergency Service unit's older medium rescue truck with a modern Hino heavy rescue truck, boosting the unit's response capacity. With severe drought, increased fire risk and a major highway through Gisborne, our SES and Country Fire Authority units do an enormous amount of work. This new truck is vital in maintaining and resourcing our volunteer emergency services groups.

Gisborne SES's new heavy rescue vehicle will afford better storage and efficiency, and provide enhancements to operational preparedness and response. The new vehicle complies with SES specifications and offers substantial occupational health and safety improvements over the existing vehicle. As a result of this funding, the Gisborne SES can carry out its vital and much appreciated work while ensuring the safety and comfort of emergency volunteers. The unit itself contributed \$120 000 to this project, an absolutely outstanding effort. I would like to congratulate the unit for its ongoing efforts on our behalf, in particular Dianne Dale, the fundraising officer — and what a tenacious and enthusiastic member she is — Ralph Walling, the unit controller, and all of the members of the Gisborne SES. I would like to again pay tribute to all of our emergency services.

Office of Police Integrity: role

Mr K. SMITH (Bass) — The front page of today's *Age* newspaper confirms the ongoing secrecy of the socialist Bracks government. It confirms that the government is hiding a mountain of corrupt and crooked deals that it does not want exposed to the Victorian community. The proposal to give more power to the Office of Police Integrity to follow up on crooked cops is fine. To date I think it has done a reasonable job, but we do not really know, and with what is proposed in today's *Age* it is only going to become more secret.

But what about the corrupt politicians and public servants at both state and local government levels? Do we think they are all honest, as we used to think our police were, some of whom at the highest levels have now been exposed as crooks?

The coalition believes that an independent broadbased anticorruption commission is the only way forward to overcome the problem of crooks in government at both levels and in the public service. I really wonder what the Bracks government — sorry, the Brumby government — has to hide by continuing to not extend to the people of Victoria the opportunity to have the crooks exposed in this government and to have them charged. The sooner it happens the better.

Schools: Yuroke electorate

Ms BEATTIE (Yuroke) — With the 2008 school year now under way, I have had the great pleasure of attending many schools in my local electorate to meet students and congratulate and present medallions to student leadership groups.

I recently visited students at Gladstone Park, Willmott Park, Roxburgh Park Homestead and Roxburgh Rise primary schools and next week I will visit Craigieburn South Primary School. It is always a terrific experience to attend those local schools to engage with the school communities and to recognise the achievements of students. The enthusiasm and commitment of these students is a credit to their schools, their respective principals and to the state government, which has made education its no. 1 priority.

This government has made a terrific investment in education in my electorate, as seen by the upgraded facilities at schools such as Willmott Park Primary School and Gladstone Park Secondary College. These upgrades have enabled the existing schools to continue providing high quality education.

This government's strong investment in education has also enabled the development of new schools in my electorate, such as the one at Craigieburn North, which will commence in 2009, and the recent announcement of a new Craigieburn West school to be built and managed through a private-public partnership and scheduled to open in 2011.

I am very pleased that this government has recognised the needs of my local electorate and has responded by ensuring high quality education facilities to fulfil this increasing demand. As a result this investment will assist in developing the enthusiasm and commitment — —

The DEPUTY SPEAKER — Order! The member's time has expired.

Disability services: respite care

Ms WOOLDRIDGE (Doncaster) — I rise to condemn the Brumby government for neglecting carers across Victoria. There are 700 000 unpaid carers in Victoria, and almost half of these have taken on the role of carer because they claim to have little faith in the services that are currently available.

We have reached a point where carers, especially those living in regional and rural Victoria, describe the current system as desperate. Exhausted from emotional, physical and financial stress, carers in metropolitan areas are tackling inflexible and rigid respite models, extensive waiting lists to access health services and a crisis in supported accommodation. These issues are multiplied in country Victoria with the added stress of inadequate transport access and isolation as well as the emotional and financial stress of relocation to metropolitan centres for specialist treatment.

Unpaid carers make up an essential part of our community, saving the Victorian economy \$8 billion annually, yet this government has paid lip-service to their contribution. I call on the Minister for Community Services to immediately address the lack of flexible respite and provide recognition and support for our carers across Victoria.

Packaged liquor: licences

Ms WOOLDRIDGE — On another matter, I condemn the government's failure to address the proliferation of packaged liquor licences against the wishes of and to the detriment of local communities, most recently in Jackson Court in East Doncaster in my electorate.

Findon Primary School: Go for Your Life award

Ms D'AMBROSIO (Mill Park) — I was pleased to have visited Findon Primary School on 19 February to present the school with the Kids 'Go for Your Life' Healthy Eating and Physical Activity Award.

This award program and initiative of the Brumby government aims to promote student wellbeing by making healthy eating and physical activity a normal part of every student's day. Findon Primary School runs a daily 10 a.m. fruit program where each student is provided time to eat a piece of fruit in the classroom.

Each classroom is provided with a fruit basket by the school. Findon Primary School has also removed all items considered unhealthy from its canteen. Fried foods and high sugar drinks are definitely out. In addition to the 1 hour of weekly physical education, years prep and 1 undertake the perceptual motor programs; years 2 and 3 take the weekly platoon sports program; and years 4, 5 and 6 take the RMIT sports program and platoon sports. Extra term activities are also held.

Members of the junior school council and senior students run a sports borrowing program. All students can access sports equipment at recesses and lunchtime by borrowing items and returning them at the end of play. Findon also has a kitchen garden where children get hands-on experience in planting, harvesting, preparing, cooking and eating foods together in groups.

Congratulations go to the principal, Ms Kerri Simpson, teachers, staff, parents and students for a terrific range of programs to help promote children's good health and wellbeing.

Police: Forrest

Mr MULDER (Polwarth) — The matter I wish to raise concerns the lack of a permanent police presence in the town of Forrest in my electorate. Forrest has not had a permanent police officer for more than a year, with the former officer being on leave for most of that time prior to retiring. The police station is currently manned for only 4 hours a week, and local residents are concerned about an increase in thefts in the town and in nearby Barwon Downs in recent months, as well as speeding motorists. This situation is not isolated to my electorate. In May 2006 the town of Lismore had been without a permanent office for almost 12 months due to the local officer being absent on sick leave. We also had a problem at Apollo Bay with the police station being unmanned after 2.00 a.m. According to the

locals, this is well known in the community and provides local vandals and law-breakers with a regular window of opportunity to commit crime.

Community safety in small rural towns is seemingly not a major concern for this government. In the two instances I have mentioned it was obviously deemed acceptable by the government for these towns to be without a police officer in residence for a period of 12 months or more. It is not acceptable for the people who reside there. Residents are getting mighty fed up with the lack of adequate emergency services in rural areas. The situation at Forrest needs to be addressed immediately, and a better system needs to be put in place for the future whereby resources are not taken from other small towns to provide a bare minimum of service over lengthy periods of time.

The Avenue neighbourhood house: relocation

Ms MARSHALL (Forest Hill) — Whilst there are many people who say the member for Bass is living in the past and struggling to keep up with the fast pace that the Brumby government moves at, I am not one of them. I do, however, believe that when the member for Bass refers to this government as the Bracks government — as he just did twice in his members statement — he is giving ammunition to those who make such cruel statements.

On Tuesday, 19 February, I had the great pleasure of attending, with the Minister for Housing and Whitehorse City Council representatives Cr Sharon Ellis, Cr Ben Stennett, Acting Mayor Cr Bill Bowie, Terry Wilkinson and Debbie Seddon from community development, and Julie Lyons from the department of social planning and community development, the announcement that The Avenue neighbourhood house in Blackburn South in the electorate of Forest Hill will receive a funding boost of \$100 000 from the Brumby government to help it move to a bigger and better location which will be used to redevelop the nearby Eley Park Community Centre. The Avenue currently caters for about 1000 participants per week, and its success and popularity has meant it has outgrown its current premises.

Neighbourhood houses are an important community asset and provide a broad range of low-cost social, educational and recreational programs. The Modernising Neighbourhood Houses program grants come from a four-year \$6.8 million investment to help neighbourhood houses better cater to the needs of local residents. This would not have been possible without the assistance and contributions of Terry McDonald, Stuart Tillotson, Coleen Saunderson and Merial Clark. I

thank all of them and everybody involved for ensuring Forest Hill and Victoria are better places.

Water: rebates

Mr CRISP (Mildura) — Domestic environmental initiatives in both water and energy can make a difference to country Victorians. There are currently rebates available for energy efficiencies like photovoltaic cells and urban rainwater tanks. I have been contacted by yet another disgruntled resident who has done the right thing environmentally and installed a complete blackwater recycling system to ensure she can water her fruit trees. However, the fact that there is not any rebate available for the installation of the system — which costs \$7000 and an additional \$3000 to install — came as somewhat of a shock. Blackwater is now a real resource that can make a difference to country Victorians, and I call upon the government to apply rebates to blackwater systems similar to those that apply to rainwater tanks.

People are shocked to learn that rebates available to our city dwellers do not apply to country residents because, in the minister's own words, research has indicated that households connected to a reticulated water system tend to take water for granted, whereas generally people who use privately owned water tanks are more aware of water consumption. Those who want to enjoy gardens and grow a few veggies are not allowed to receive the rebate because, although still Victorian, they are the wrong sort of Victorian. This is discrimination.

The government cannot continue to disadvantage rural Victorians. I call on the Minister for Water to immediately address the unfair practice, to ensure that all rebates available to urban residents are also available to rural residents and, further, to ensure that these rebates are made available for any form of water-saving measure that people have paid to install.

Water: goldfields super-pipe

Mr HOWARD (Ballarat East) — The recent backflip by The Nationals acknowledges the importance of the goldfields super-pipe project for Ballarat, Bendigo and their surrounding towns. The member for Swan Hill admitted that, following their recent return to coalition with the Liberals, The Nationals now support the goldfields super-pipe. This statement follows and is in line with similar statements made by the Liberal Party, which now also supports this project.

However, Ballarat residents will not forget that at the last state election just 15 months ago, the

much-celebrated candidate for The Nationals in Western Victoria Region, Sam McIntosh, talked down the super-pipe plan and the party leader, who is also the member for Gippsland South, described it as 'Nothing less than a disgrace'.

Ballarat residents also remember that the Liberal Party presented a similar view, declaring that Ballarat's water future lay in reclaiming Geelong's share of the Lal Lal Reservoir, a position which the ongoing drought has demonstrated would spell disaster for Ballarat, as our available water storages, even with bore water and other supplementation, are down to 9.8 per cent. The residents of Ballarat region know that only Labor put forward the super-pipe option ahead of the last election. In view of the ongoing drought, they now know how visionary that position was. They now clearly see that if the Liberals and The Nationals had been elected to government, it would have spelt disaster for Ballarat.

Police: Mooroolbark station

Mr HODGETT (Kilsyth) — I wish to raise the concerns of residents in Tamworth Road, Kilsyth, in my constituency, who have been subjected to what can only be called a reign of terror by a group of their own neighbours. Amongst their concerns are burnouts and hoon driving, parties spilling out onto the street, loud music at all hours of the day, house thefts, threatening and intimidating behaviour including the forced entry into a home, and the use of an incendiary device to blow up a letterbox causing malicious damage and potentially putting the lives of residents in danger.

Any hope of reversing this scenario when the community are unable to rely on a rapid response from their local police leaves decent, honest locals feeling helpless in their own homes. Some residents are selling, families are moving away because they are afraid — and other residents are seeking counselling to help them to cope.

Tamworth Road is approximately 4 kilometres from the Mooroolbark police station. In the week of 9 to 13 February, following complaints about hoon driving in the street, it took the police approximately 45 minutes to respond. Now, it would be easy to blame the local constabulary for response times but this situation has not arisen because of the police officers at Mooroolbark, who are doing as much as they can to make their patch safer. The problem is that there just are not enough cops on the front line in my electorate. Mooroolbark has a 24-hour station, which takes on the responsibilities for Mount Evelyn police station during the evenings. As a result, Mooroolbark's police officers are required to take assignments well past Mount

Evelyn, thus removing them from the homes in the local area, which means more responsibility but no extra resources. The Premier and the chief commissioner announced that more police will appear under the new five-year plan which has been laid out. We cannot wait that long. We need more police in Mooroolbark now.

Australia Day: Jagajaga awards

Mr BROOKS (Bundoora) — On Australia Day this year I had the privilege to attend the Jagajaga Australia Day community awards hosted by the federal member for Jagajaga, the Honourable Jenny Macklin. I have attended these award presentations in the past and am always taken aback by the tremendous efforts of so many community volunteers.

I would like to make special mention of some of the award recipients who live in or contribute to the electorate of Bundoora. Gillian Casey has been contributing to the local community for the last 40 years, leading a range of programs to help local people, particularly through the Bundoora-Kingsbury Uniting Church. Kay Driver has for over 20 years been one of the organisers of the Greensborough Interchurch Council Christmas carols service that brings the Greensborough community together every Christmas. Mark Durnford has made an outstanding contribution to the Rosanna Primary School community through his involvement on school council and in many other ways.

Andrew Edney has played a crucial role at the Diamond Valley Little Athletics Centre over the last 10 years, including as secretary and president. Robert Fischer does fantastic work with Streeon Primary School students with arts classes and projects. Les Heilbronn has volunteered with Hope Springs for over 10 years, helping people who are living with mental illness. Sue Roberts is a passionate supporter of and contributor to the protection and restoration of the Plenty River. Ray Skals has been the appeals director for Watsonia RSL over the past eight years, in that time overseeing the raising of over \$1 million in funds for the support of ex-service personnel and their families.

Diamond Valley Foodshare, a local service helping people through difficult times with food parcels, has received the generous support of Jill Southon and Doug Mudie, both of whom have provided selfless service over significant time frames. I commend all of those who received Jagajaga Australia Day Community Awards for their contribution to the local community.

Westgarth Primary School: display banner

Ms RICHARDSON (Northcote) — Congratulations to Westgarth Primary School students for their banner on display in my office window.

The DEPUTY SPEAKER — Order! The time for members to make statements has now concluded.

MATTER OF PUBLIC IMPORTANCE**Regional and rural Victoria: government performance**

The DEPUTY SPEAKER — Order! The Speaker has accepted a statement from the honourable member for Bendigo East proposing the following matter of public importance for discussion:

That this house congratulates the Victorian Labor government for rebuilding and revitalising rural and regional Victoria after the devastation caused by the previous government.

Ms ALLAN (Minister for Regional and Rural Development) — I am indeed very proud to be speaking on this matter of public importance before the house today, because if you look around regional and rural Victoria you see that it is dramatically different today compared to what it was 10 years ago.

The deputy leader of the newly formed Liberal-National coalition would like to dismiss people who are concerned about what happened a decade ago as being locked up in the last century. But you can only tell the story of country Victoria's turnaround over the past eight years by telling that story from the beginning. The story begins precisely at the time the Liberal Party and The Nationals were last in coalition, when they last jumped into this convenient arrangement back in the early 1990s. Political parties are only judged on their record. They are only judged on the outcomes of their actions.

It is a fact that the member for Gippsland South, as a member of the Liberal-National coalition throughout the 1990s, voted 1150 times with the Liberal Party to close 178 country schools, 12 hospitals and 6 country train lines. He also voted to introduce compulsory competitive tendering (CCT) in local government, an action that saw the loss of over 11 000 council jobs across Victoria. I am not the only person who has been critical of the member for Gippsland South for supporting that particular legislation. An editorial in the *Shepparton News* of 15 February described this action as the 'disembowelling of local government'.

When it was first elected, one of the actions the Labor government had to take was to abolish the disastrous CCT policy and introduce a new regime for local government, a regime that included support, partnership and enshrining local government in the Victorian constitution. The now Leader of The Nationals, the member for Gippsland South, was busily voting his heart out again during the 1990s, and again I quote from an editorial in the *Shepparton News* which states:

... a shameful period for The Nationals as they also aided and abetted Mr Kennett's plundering of country schools, country hospitals and rail services.

I go on to ask: where was the other partner in this newly-formed relationship? Where was the other member of the team? Where was the present Leader of the Opposition during this period? Where was he during 1992 and 1999? We know where he was. He was busily pulling the strings behind the scenes as Liberal Party president. During much of this time he was, as president of the Liberal Party, watching over the wrecking of rural and regional Victoria by the Liberal and the National Party members of Parliament.

When the Labor Party came to government in 1999 we knew we had a big job to do. We knew we had to set about putting in place a planned and systematic approach to rebuilding and reinvesting in our regional and rural areas. Today I am proud to say that there is not one part of regional and rural Victoria that has not benefited from the Victorian Labor government's investment and support for our regional and rural communities.

The outstanding example of this government's commitment to country Victoria was demonstrated by the very first actions of the new Labor government in this Parliament. The very first piece of legislation we passed in this Parliament in 1999 was of course the Regional Infrastructure Development Fund Act. It was landmark legislation. When the current Premier, the then Minister for State and Regional Development, introduced the bill to establish the fund he is reported as stating:

The establishment of the fund is the first step in beginning the task of rebuilding infrastructure in regional and rural Victoria. It represents our commitment to shift the focus of government in this state to fully encompass the people, communities and industries outside metropolitan Melbourne.

You would have thought this landmark legislation would have had unanimous support, but for its part The Nationals were critical of the bill. Again the member for Gippsland South — the deputy leader of the new coalition — described the bill as a sham and flawed because it did not have the capacity to deliver to

country Victoria the expectations that the government had created. The jury is well and truly in on both the operation of the Regional Infrastructure Development Fund and the relevance of The Nationals.

Mrs Powell interjected.

Ms ALLAN — The member for Shepparton asks: has it delivered? I will tell the member for Shepparton and the members of The Nationals whether it has delivered. My word it has. It has delivered infrastructure projects and investment to every single local government area in regional and rural Victoria. It has delivered \$383 million across 158 projects, which have in turn leveraged over \$1 billion in new infrastructure investment, as I said, right across every part of the state.

As to the relevance of The Nationals, they got it wrong on the RIDF (Regional Infrastructure Development Fund) but the Liberal Party got it right in November 2006 when it said:

The truth is it has been over 54 years since the National Party ... had any relevance in Victorian politics.

That is the official view from Liberal Party headquarters. According to the Liberal Party, The Nationals have not been relevant for the last 54 years, so the poor old leader of The Nationals has not been relevant since he was 12. According to the Liberal Party, for 44 years of his life and for the entire time he has been in Parliament, he has been entirely irrelevant.

The motion before the house today calls on us to congratulate the Victorian Labor government for rebuilding and revitalising regional and rural Victoria. The evidence to support this motion is compelling. As a result of our aggressive industry and investment program the number of new jobs created in regional and rural Victoria since October 1999 is a massive 138 000. That is three times the number of jobs that were created in regional and rural Victoria in the last comparable period — from 1992 to 1999.

We have also invested in the services that matter to people. We have invested \$358 million in 162 country schools. We have employed over 1700 additional teachers and support staff. We have invested in hospitals. We have invested \$420 million to rebuild and upgrade hospitals and health services. We have employed an extra 2130 nurses across regional and rural Victoria. We have built 117 police stations across regional and rural Victoria in the single biggest police station building program this state has ever seen. We have invested over \$2.5 billion in our regional and rural road networks. We have invested in and upgraded our

rail services. We have delivered 400 extra rail services on the Bendigo, Ballarat, Geelong and Traralgon lines. We have cut V/Line fares by 20 per cent. As part of our RIDF program we have delivered natural gas to 34 country towns through our \$70 million investment, an investment we had to make because the Leader of the Nationals and those in the coalition in the 1990s flogged off our gas network.

When you invest in services and infrastructure people vote with their feet. Rather than fleeing the state in droves, as they did the last time the Liberals and The Nationals got together, we see that country Victoria's population has grown by 3.8 per cent. We on this side of the house are proud of what we have delivered for regional and rural Victoria. It means that local communities can now look to the future with confidence. They can look to the future with confidence that the Brumby government will work with them in partnership to support future growth, to support future development and support families in regional and rural Victoria.

That is why we have a big agenda. That is why we have a big school building program that includes investing at least \$70 million to replace relocatable schools at 40 rural schools. It is why we are spending \$14.5 million to establish a new dental school in Bendigo that will also support — and I hear the member for Melton supporting this — clinics in Wodonga, Mildura and Melton. It is why we are making a massive investment in water infrastructure by putting \$1 billion into the food bowl project, by supporting projects like the super-pipe, by supporting upgrades in Hamilton, by supporting upgrades right across the state — projects that are opposed by those opposite. We have also had to move quite quickly to buy back Victoria's rail freight network. What a shining example that is of the failure of the previous Liberal-National government! It flogged off our national rail freight network. It sat by and let it decay. This government has taken action, and we are in the process of buying back our regional freight network with an investment of \$132 million.

I said earlier that political parties are judged on their actions. We have witnessed over the past two weeks the re-forming of the Liberal-National coalition. We have seen some extraordinary gymnastics as these two parties have tried to present themselves as new and different, as something different from what happened in the 1990s. They are trying to go around country Victoria and pull the wool over the eyes of country Victorians, hoping that we will not notice they are the same team and it is just a different decade. It is like the re-runs we see on television of *I Dream of Jeannie*,

where we know how the story goes. We know that whenever Major Nelson wants his genie to respond to his command, he simply has to rub the bottle and out she will pop and obey his every command — just like The Nationals.

We know that whenever The Nationals get the chance, and I quote from the *Shepparton News*, to be ‘mesmerised by ministerial salaries and the spoils of government’, they will sell out country Victoria and dive headfirst into a coalition with the Liberal Party. We know we have reason to be concerned because the Leader of The Nationals, the deputy deputy leader of the coalition, has already said that The Nationals will compromise to achieve power and the perks of office. I quote the deputy deputy leader of the coalition, who said, on ABC radio in Ballarat:

Maybe we —

meaning The Nationals —

need to be able to compromise a bit for the greater good of being able to present a united front ...

I can tell members that that comment sent a shudder down the spines of everyone living in regional and rural Victoria, because they know what The Nationals compromise is. They know that that compromise means selling out country people, selling country schools, flogging off country hospitals and closing country rail lines. We know what that means, particularly for the dairy industry. The dairy industry has every reason to be concerned. What does it mean for the channel deepening project? What does it mean for this project that is vital for the future of the dairy industry in this state when we know that to date The Nationals have described it as an essential project but the Liberal Leader of the Opposition says it is not going to proceed unless there is unequivocal evidence that it will not damage the bay? The evidence is in and the work is being done. What does that mean for the dairy industry in regional Victoria?

We have already seen The Nationals do a backflip on the goldfields super-pipe, which the member for Ballarat East has spoken of. What does that mean for people in the Goulburn Valley? The Nationals have already said, ‘You can take water south of the Divide to Ballarat’. What does that mean for the Sugarloaf interconnector? We now look forward to the next backflip from The Nationals and their saying that if you can take water to Ballarat, you can take water to Melbourne. We look forward to their support on this vital infrastructure project for water services in this state. We also know that The Nationals have in the past supported the government relocating services like the

State Revenue Office to Ballarat and the Rural Finance Corporation to Bendigo — and we are in the process of relocating the Transport Accident Commission to Geelong.

The Liberal Party, however, has attacked the government for these moves, and we hope now that The Nationals will not sell out to the Liberal Party again, but we have seen this happen in the past. We have also in the past few days seen the outrageous charade as they pretend to be two separate parties with two separate entities. Question time yesterday was a farce with the Leader of The Nationals, the shadow Minister for Regional and Rural Development, asking questions outside of his portfolio —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! Members of the opposition will get the chance to be involved in this debate if they stand up and I call them.

Ms ALLAN — I wonder what the shadow Minister for Health and the shadow police minister think about the deputy deputy leader of the coalition taking their questions at question time.

We know this is about defending the backs of The Nationals. The Leader of The Nationals said on ABC radio that they are not having to spend considerable amounts of money in defending their backs, as it were, from the other party. This was just like what they had to do in Shepparton at the last election when The Nationals had to run advertisements asking why the Liberals wanted to silence their Jeanette Powell. They have silenced her by putting her on their front bench.

We know this is all about The Nationals seats in Parliament. We know The Nationals will do whatever they can to get back in power so they can sell out country Victoria again. We have seen over the past two weeks that the party that stands for nothing — it is not me that says this; it is the Liberal Party’s own members — has been joined now by the party that is too scared to stand up for the people it represents.

My final comments in this debate are really best left to the editorial in the *Shepparton News*, which states:

... the Victorian Nationals have lost their independence, their capacity to deal effectively with governments of all colours, any coherent vision for regional development and any semblance of a backbone.

We have seen that; we have seen The Nationals sell out once again to protect seats of The Nationals in Parliament, and not act for what is in the best interests of country Victoria.

Mr RYAN (Leader of The Nationals) — I begin by saying that I did not start this, and I am going to address some of the commentary by the minister. I am also conscious of the audience we have at large, but circumstances rule cases so I will deal with the commentary by the minister.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The member for Melton should cease interjecting and so should the member for Murray Valley.

Mr RYAN — The key issue in all these debates is that the minister should stick to the facts, tell the truth and get her lines right.

Mr Nardella — She did.

Mr RYAN — On each count she is absolutely wrong.

The DEPUTY SPEAKER — Order! I ask the member for Melton to cease interjecting.

Mr RYAN — Let us take for a start the hysteria we have heard over the past fortnight, particularly in relation to the formation of the coalition between the two independent parties — The Nationals and the Liberal Party. The minister started with this line about The Nationals saving their own skin, but someone somewhere along the line quickly pointed out to her that it was a dog of a line to run because obviously they reminded her that in the elections of 2002 and 2006 The Nationals absolutely flogged all comers — first and foremost the Labor Party. We cleaned it up absolutely; we defeated it in the seat of Benalla, which it had pinched in the by-election in 2001. We won it back in 2002 against the tide of the ballot box at the time in favour of the Labor Party.

Then of course in 2006 there was the seat of Morwell, a jewel in the crown of this government, held by Labor for 36 years, right in the heartland of the industry of Victoria. Who won the seat of Morwell at the last election? The Nationals won it. What about the seat of Mildura? Do we even remember his name — the member for Mildura now departed? Who won the seat of Mildura at the last election? The Nationals won it. Whose primary vote went up in every one of the seats that we held by at least 10 per cent at the last election? It was The Nationals. From the Liberals' perspective in the seat of Narracan — who did they beat last time around? It was the Labor Party.

It is why this government has no representation at all in this Parliament from eastern Victoria. It is why their

seats have all been cleaned out. It got left the seats of Ripon and Seymour, and apart from that and the regional seats it holds it has been cleaned out. It has no Assembly representation in this Parliament beyond a radius of about 150 kilometres. Those seats have gone and the sympathisers have gone, bar one, and his time will come. There is one to go.

The second line the minister went to was the issue of the portfolios. Indeed she issued some correspondence about it to the papers, talking about the fact that the portfolios The Nationals now hold in the shadow cabinet — the five portfolios more than ever before — are not up to the mark. What she forgot, of course, in her urge to get out there and bag people is that —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I am sorry to interrupt. I ask members to lower their level of interjections. I also remind members of the opposition that interjections do sometimes contribute to debate, and I did allow some of that during the contribution of the minister, who was the first speaker.

Mr RYAN — She forgot that the shadow portfolios we hold include the minister's own portfolios. She is out there bagging us for the portfolios we hold and we are shadowing the minister in her own portfolios. Minister, we will talk you down. Minister, you do not need to talk yourself down. We will do it admirably, I can assure you, as you are doing by your own actions, anyway.

The DEPUTY SPEAKER — Order! Through the Chair.

Mr RYAN — The minister gave that line away. Then she went to the rollover line. I might say I spent about 5 minutes — 4 minutes too many — investigating the issue of, I think it was, 1150 votes. Typically, it is a complete and utter fiction. I looked at the amount of legislation that went through this Parliament in the whole of the term of the Kennett government. It was about 750 pieces of legislation. The government plucked the number out of the air. If you put into it the fact that about 20 per cent of the legislation comes down to votes, this is typical of what government members do. They think of a figure —

Mr Helper interjected.

The DEPUTY SPEAKER — Order! The Minister for Agriculture has a very loud voice. I ask him to cease interjecting.

Mr RYAN — Ultimately, of course, people are supposed to believe it. This is typical of the Labor Party and of this minister in particular.

Then there is the allegation about closing schools and the like. The minister was then Minister for Education Services — the government invented that role for her to get her on the front bench. It has gone now back into the portfolio of the Minister for Education. The rhetorical question to be asked is: why did the government not reopen the schools?

If the government thought the whole thing was so appalling, why did it not reopen schools? Let the rest of the members here today tell us how many schools the Labor Party reopened in the last seven, eight, nine or whatever years they have been here. In addition to that, how many schools has the Labor Party closed since it assumed government? They are fair questions.

On the issue of hospitals purportedly being closed, how many have they changed back to what they were before those events occurred? I want one, two or three — as many as they like. How many of the acute beds have been returned to those health services, I now ask. How much have they done in relation to that?

Mr Nardella interjected.

Mr Stensholt interjected.

The DEPUTY SPEAKER — Order! The member for Melton and the member for Burwood have very loud voices, and I ask them to stop interjecting.

Mr RYAN — On the trains-related issue, we are still waiting at Leongatha and they are still waiting at Mildura. It is nine years and it is not looking too good. What about the poor old Minister for Agriculture, who has joined us here? He got excited last week and decided he would issue his own press release on the back of some commentary by the minister at the table, the Minister for Regional and Rural Development. We were down in Ballarat as it happened and the radio station rang me to get some comments about all of this. I found out — and they are still chuckling about it — that they had gagged the Minister for Agriculture from saying anything. He issued a press release and then he heard from Premier and Cabinet that he could not say anything. It just goes to show.

Then there is the issue of We Reckon and the article that has been written in the *Shepparton News* by this nameless, faceless — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I am sorry to interrupt the Leader of The Nationals, and I do apologise, but I remind all members that it makes it very difficult for Hansard if the level of interjection is that high. Please keep it down so that the Leader of The Nationals can be recorded accurately.

Mr RYAN — I pause to say that it has been pointed out to me that the rationale for the minister's non-commentary on that radio station was related to a personal matter. I did not know that. I withdraw and I apologise.

Insofar as the *Shepparton News* article is concerned, the document is headed 'No backbone' and is written by We Reckon, this nameless, faceless individual, who made all these assertions. Yesterday I had published in the *Shepparton News* a response — which was heavily edited, I might say. In the course of that response I invited the author of that article to debate me on the stage of the Shepparton Civic Centre at a time that was mutually satisfactory. What did I get by way of response? There is an editor's note at the bottom of the article which says:

The news runs We Reckon editorials as a contribution to debate on matters of public interest. They represent the collective and considered view of the news and no particular individual.

What an absolutely weak cop-out! It is prepared to write that sort of an article and not put the name to it. I reckon I know who We Reckon is. When I am next in Shepparton I will get an appointment with I Reckon/We Reckon, and we will have another bit of a chat about it, as we have over the years. Fancy that — not being prepared to put the name to it and not being prepared to debate me on it. Apart from anything else, fancy sinking to using the word 'holocaust' in that article. Does the Minister for Regional and Rural Development dissociate herself from that? Is the minister prepared to say that the use of the word 'holocaust' is a disgrace? Does this minister, despite her tender years, understand what the word 'holocaust' means for people who 60 or 70 years ago had to suffer its consequences? It is an absolute disgrace, and the minister should dissociate herself from it. It was written deliberately, and it is a disgrace!

What is the truth of all of this? The truth is that Labor is destroying Victoria. It is doing it again. It is divisive, arrogant and petulant. Labor lies — its members lie as a matter of course. If it suits the occasion they lie; of course they do. Throughout Victoria we are seeing a range of these things emerge, just as happened in the last century prior to the time when the minister at the table was in the Parliament. She was probably in

secondary school, as I calculate it, when the last Labor government was in office in Victoria.

We are seeing the hospitals issue again. Our hospitals are being underfunded across Victoria. What about the position with the Office of Police Integrity which featured on the front page of the *Age* today? What are they thinking over here? What are they actually thinking, to be contemplating what is set out on the front of the *Age*? Why do we not have an independent commission that can look at these issues here in Victoria, as they ought to be? What about our teachers? Why are our teachers amongst the lowest paid in Australia? What about the question of violence in our streets? People are being bashed in our streets. As I remarked yesterday in question time, random assaults have gone up by 300 per cent in the last nine years. What about the gambling issues? The biggest problem gambler in the state of Victoria is the Victorian government. Now we see it over the front page again: they are going to take even more money away from people. The list just goes on and on.

Insofar as country Victoria is concerned, the situation is similar, with some additions. There is the issue, of course, of our hospitals still being underfunded. There is the police question — we simply do not have enough police. It is all right to talk about building new police stations but we need police in them, for goodness sake! The problem with roads is highlighted again in the article in the *Age* today. There is the issue in relation to education, with completion rates in Melbourne falling behind more and more. The take-up rate for tertiary courses in Melbourne is falling behind more and more.

But above all else is this issue of water. What this government is doing on the issue of water is simply unconscionable. If the house wants a good read of current opinion it should have a look at Don Lawson's very good article in the *Weekly Times* today. Of course we all agree with putting more money into the food bowl and the systems that apply up there for irrigation, but to pipe the water is a dreadful policy. The government said it would never do it, and here it is doing it, and being divisive.

What about the expression 'ugly, ugly', do you mind, from the Leader of House?

Mr Nardella interjected.

Mr RYAN — The member for Melton laughs. He thinks it is all a big laugh. He is typical of Labor and a good benchmark for their attitude in all of this. The fact is that apart from anything else this Minister for Regional and Rural Development is overseeing

expenditure of the Regional Infrastructure Development Fund (RIDF) in a manner which does not do justice to the design that was planned. By leave, I ask that the table I have circulated be incorporated.

The DEPUTY SPEAKER — Order! Can the member assure me that it has been approved by the Speaker?

Mr RYAN — It has been approved by the Speaker.

Leave granted; see table page 501.

Mr RYAN — This table shows the figures from 2001 through to 2008, and the story it tells is absolutely pivotal to today's debate. What the figures show is that throughout the years from 2001 to 2006 this government budgeted for expenditure in the RIDF of \$483.5 million. That is what it put in the budgets.

Budget paper 3 from the last budget shows that the government has spent \$199 million. It has duded country Victoria to the tune of about \$280 million. About 41 per cent of the money it said it would spend was actually spent. It is not a question of lag spend, that the government will catch it up, because when you look at the way the money has been spent as opposed to the money that has been promised, you see there is only one year in which the budgeted amount is exceeded by the amount actually spent. Every other year it falls behind. It is an absolutely consistent pattern.

The government has duded country Victoria to the tune of \$280-odd million, and I might say all on the watch of this minister, who proclaims to be getting around the state in the interests of country Victorians. The fact is we have a range of issues throughout Victoria and particularly in country Victoria that mean that this government has to go. It is why The Nationals have formed an association with the Liberal Party through this coalition, because this government has to go. The time has come, and just as country Victoria recorded its vote in favour of The Nationals at the last election it is going to do so again at the next election.

I can forgive many things in what the minister has to say. I understand she came to Parliament at the age of 25, and good on her. I understand that prior to that she had spent three years working in electorate offices, had done her honours degree in arts at Latrobe University at Bendigo, and that is all fine. She had a graduate position with the industrial relations commission for a while. She has done very well; I grant all of that. But the trouble is she has no life experience. She does not know what makes the world work, and we see it again and again and again. She has been locked up in the cocoon of the Labor Party all her life — Emily's List,

the whole 9 yards. We need people who are experienced and who have the knowledge to be able to run the state. This minister is an absolute, deadset lightweight. She is known as a lightweight, that is the tag she has got and that is the tag she will wear forever.

Mr CRUTCHFIELD (South Barwon) — I rise to support this matter of public importance. I note that the Leader of The Nationals is a bit tetchy today, resorting to personal attacks on the Minister for Regional and Rural Development at the table. I congratulate the minister; she is certainly getting under his skin.

I want to point out some facts regarding The Nationals primary vote over the last 14 years. Back in 1992 their primary vote was some 7.8 per cent, and they had 15 members in Parliament. In 2006 their primary vote was just over 5 per cent and they had 11 members, which is exactly the same number of members they had in 2002. In addition to that, as members of The Nationals in this place would understand, federally The Nationals have just lost three seats and may lose another one; I think Gippsland is one that the Liberal Party will target — and the Labor Party also.

It would be instructive for The Nationals to take note of the fact that a marriage of convenience does not always work, and the figures historically show that The Nationals are losing relevance nationally and statewide. It is also important to note that the leader of The Nationals acknowledges that he supported all of the Kennett government's legislation. We claim it is some 1150 pieces of legislation.

Honourable members interjecting.

Mr CRUTCHFIELD — A member of The Nationals corrects the minister at the table, saying it was only 750 pieces of legislation that were supported. That included legislation closing schools, closing hospitals, closing police stations and closing railway lines, as the member for Rodney would be well aware, up in his neck of the woods.

I want to focus on some rural and regional water investments by this government since 1999, and it is a very good story to tell — a story that ensures the prosperity of rural and regional Victoria from Gippsland through to the Wimmera, Bendigo, Ballarat, Geelong and the Goulburn Valley. The member for Lowan was in the chamber earlier, and one of the most significant investments is the Wimmera–Mallee pipeline. It is one of the biggest water projects in Australia, saving some 100 gegalitres of water, but both the Liberals and The Nationals have been dragged, kicking and screaming, to support this project. It had its

genesis in 1999 with the election of the Bracks government, and there were more concrete announcements in the budget of 2003. Currently the project is worth some \$688 million and replaces 7.5 kilometres of open channels in the Wimmera and the Mallee.

What flows from this project is not just the significant savings it makes for irrigators but also the environmental benefits for rivers like the Glenelg and Wimmera, in which I fish quite regularly, and to Rocklands Reservoir. As a regular visitor to my wife's parents' property at Balmoral I know there has been continual angst about the low levels of Rocklands Reservoir and the saltiness of the Glenelg and Wimmera rivers. Also flowing from the Wimmera–Mallee pipeline is the Hamilton–Grampians pipeline, which some members opposite did not support. It ensures the security and reliability of water not only for Hamilton but for a number of towns along the Wimmera–Mallee pipeline that now receive reticulated water. Perhaps the member for Swan Hill in his contribution would like to articulate his support for these two projects. I would be interested to hear his view, because to my understanding it is different from those of his coalition partners. It is a stand-out project.

Members present will be well aware of Iluka, a mining company up near Balmoral, which has invested in that area because of the security of water. This project ensures like-minded investors all the way from the Wimmera–Mallee through to Hamilton that there is a secure water supply in that area.

Other projects include the goldfields super-pipe, which the Minister for Regional and Rural Development has touched on, a 158-kilometre pipe linking Bendigo and Ballarat to the Goulburn Valley.

Mr Walsh interjected.

Mr CRUTCHFIELD — I again hear the member for Swan Hill, and I am intrigued about how he will justify supporting a pipeline from the Goulburn Valley from the north to the south but not supporting the Sugarloaf interconnector. That is an intriguing difference in policy, and it will be interesting to see how he will justify that to the very small number of people who have supported The Nationals in opposing the north–south pipeline.

Honourable members interjecting.

Mr CRUTCHFIELD — A very small number, I emphasise. The Acting Speaker, the member for Gippsland East, would be familiar with the Gippsland Water Factory, to which the government contributed

\$50 million. This project will treat recycled water to produce a potable water replacement for the people of Gippsland. The open channel section of the sewer outfall is to be piped and will not only give millions of litres of potable water to residents and businesses in Gippsland but will also remove a rather smelly outfall.

The food bowl modernisation project has been reasonably topical, I would suggest. It is the biggest single infrastructure investment in Australia in the last 80 years. If you look at the policy initiatives of all parties prior to the last election, you see that the concepts were very similar: if you want water for urban areas, you need to invest in regional infrastructure. Certainly that was the tenet put forward by the Liberal Party and The Nationals at the last election. As recently as in December last year, Damian Drum, a member for Northern Victoria Region in another place, was reported as saying that if you provide investment for regional infrastructure and irrigation, then urban areas should benefit from that.

It is new water, which is a concept that I know is foreign to a couple of members in this place. I know the Leader of The Nationals has difficulty understanding that this is new water. It is not about taking from irrigators; it is about water savings. It is the same as the Wimmera-Mallee pipeline, the recycling project at the Gippsland Water Factory, the Shell project with Barwon Water and the northern treatment plant. It is garnering additional potable water, whether it be from recycling or from reducing inefficiencies in the system. I have touched on the northern recycling plant in the Geelong area. It will produce some 2 gegalitres of potable water which can be used for both businesses and residents, particularly in new growth areas such as Armstrong Creek to the south of Geelong in my electorate.

The common factor with all these projects is that the government is investing in new sources of water, whether it be recycling, reducing inefficiencies or investing in infrastructure. The recycling projects do have a positive impact on areas like the outfall at Black Rock. Some 2 gegalitres of water will now not flow out of Black Rock, and that is an additional benefit for the northern recycling plant. These projects are about investing in rural and regional Victoria — —

The ACTING SPEAKER (Mr Ingram) — Order! The member's time has expired.

Mr WALSH (Swan Hill) — I rise to speak on the member for Bendigo East's matter of public importance. The first thing that comes to my mind when I look at the matter of public importance is that

you can be damned with faint praise and that self-praise is the lowest form of praise. If you conducted a poll of country Victorians you would find that they do not believe the Brumby government supports country Victoria at all. In fact they do not believe the Brumby government. There have been too many broken promises. It has been all about spin and not about substance. It has been government by press release and publicly funded media campaigns. The Brumby government has divided Victorians with its arrogance and its divisive style.

The member for Bendigo East gave us a brief history lesson, although her version was a distorted view. Let us look at the history of the Bracks-Brumby government. It was elected in 1999 with the support of three Independents. One of those Independents was promised water for the Snowy River if he supported the Labor Party sitting on the government side of the house. Where is that water? That is a rhetorical question, and the answer is that it still has not been delivered. In effect what is going to happen is that the Snowy water will come down the north-south pipeline to the Sugarloaf Reservoir and will supply Melbourne, because that is where the savings are going to go. The savings have never been found for the Snowy River. The water is going to be sent to Melbourne.

It is a similar story with the promises to the Living Murray. This government owes the Living Murray 70 gegalitres of water in savings, and it owes the Snowy 99 gegalitres in savings. The government is now saying it is going to take the savings to Melbourne and is not going to honour those previous promises. There are too many broken promises when it comes to this government.

I believe the member for Gippsland East should come clean on whether he still supports what this government has done when it comes to delivering water to the Snowy, or is he actually going to apologise to Victorians for putting the Labor Party in power and for what it is now doing to country Victoria. History will not reflect well on the member for Gippsland East; he is effectively a Labor Party MP.

Another Independent who gave his support to put the Labor Party in power in 1999 was the former member for Mildura. He was promised a passenger train in return for his support. I have not seen a passenger train on the Mildura line yet. I have not seen too many trains on the Mildura line at all, because it is such a disgrace. What did the former member for Mildura get? He got a bonus; he got a proposed toxic waste dump. Instead of a passenger train the government gave him a toxic waste dump 500 kilometres from Melbourne and next to a

Ramsar wetland. What was the government thinking in putting up such a proposal? History has shown that the community dealt with the previous member for Mildura, and now we have a great new member for Mildura.

Let us now look at the mountain cattlemen. Another path of lies and deceit leads to that particular group up in the mountains. We saw the doctored photos that were used in the media campaign against the mountain cattlemen. A working group was set up which was chaired by the previous member for Narracan. I do not know where the previous member for Narracan is now, but we now have a much better member for Narracan in this house who is not about taking away things from country Victoria.

Before the 2006 election we saw the preparation of the central region water strategy. A categorical promise set out in that water strategy was that the government would not take water from north of the Divide to south of the Divide. The promise was that it would never take water from north of the Divide to south of the Divide — cross its heart and hope to die. Within six to eight months that promise was broken.

Mr Crutchfield interjected.

Mr WALSH — I will come back to what the member for South Barwon said about new water in a minute. That promise was broken — —

The ACTING SPEAKER (Mr Ingram) — Order! It is dishonourable to respond to interjections and it is dishonourable to interject as well.

Mr WALSH — At the time that was being announced we saw the Premier go to northern Victoria to meet with local governments that were opposed to this project. He said to them categorically, ‘If you do not like this we have other options. We will spend our money somewhere else’. What happened? The next day he announced it anyway. How can any mayor in northern Victoria ever believe what the Premier says to them?

An even worse example involves a motion about the pipeline that was put at the Municipal Association of Victoria conference. The Treasurer forced his way into that conference and then lectured the participants. He said, ‘If you support this motion there will be no money for northern Victoria’. The arrogance and style of this government is so divisive.

Now we come to the north–south pipeline. We have seen what happened to the former member for Mildura with the broken promise about his train. We have seen

what happened to the former member for Narracan with what he did for the mountain cattlemen. We now have the member for Seymour. Member for Seymour: this is your life, come on down. You have a pipeline going through your electorate. You have a lot of people who are very interested in the views that you have on this.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Swan Hill, through the Chair.

Mr WALSH — And I look forward to the 2010 election and the issues that will be raised in the member’s electorate. The member for South Barwon said there was very little opposition to the pipeline. We have had something like 25 000 signatures on petitions against that pipeline tabled in this house. There is a huge groundswell in northern Victoria. Perhaps some members of this government should cross to the north of the Great Divide and get a feel for what is going on instead of just staying in Melbourne.

Water is now being taken from the north. Surprise, surprise, the government has now announced that it wants to do a northern region water strategy. Why would you not do a northern region water strategy before you take water from that catchment to Melbourne? Why would you not get your processes right and do that? The minister is now saying it is a stressed catchment, there is pressure on it and we need to examine the water use, but Melbourne is the greatest threat to that catchment. Melbourne is the greatest threat to the Murray–Darling Basin. The Labor government in Victoria and its supplying water to Melbourne is the greatest threat to the Murray–Darling Basin. People up there just do not believe the Brumby government.

A lot has been said about the Kennett–McNamara government. The Kennett–McNamara government actually got Victoria moving. I want to focus on one particular issue, and that is the drive for exports and jobs out of this state. The vision that government had was to get \$12 billion worth of food and fibre exports out of this state by 2010, and it was well on track to achieving that. When the Bracks–Brumby government was elected it picked up that target with great fanfare. To its credit it picked up that target and said we would get \$12 billion worth of food and fibre exports out of this state by 2010. It kept the Food Victoria concept going, but what has happened now? We are stalled on about \$7 billion of food and fibre exports out of this state. There is no passion, there is no vision to get things going again.

The member for Bendigo East talked a lot about the Regional Infrastructure Development Fund. How can

you believe the government on the RIDF? There was \$70 million for natural gas for country Victoria. It was a great idea, a great concept, but the government changed the rules — once you announce it, you change the rules so the interface councils get all the money and country Victoria gets nothing.

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order! It is inappropriate to interject across the chamber.

Mr WALSH — How can anyone actually believe the Brumby government?

The member for South Barwon mentioned some issues around police. If you look around country Victoria, you see we have a lot of empty police stations. We have roster sheets that are not full. We have one-man stations that have not been filled for over 12 months. A lot is being said about all the extra police this government has employed, but I would like to know where they are. They are not in my electorate, they are not in the member for Lowan's electorate and they are not in the member for Rodney's electorate, because the police stations are effectively empty. Personnel from the one-man stations are being dragged into the towns to backfill the rosters there because their rosters are empty. We do not have police at the coalface out there in country Victoria.

I believe that when history is written it will judge the Brumby government very harshly as a government that has been divisive, has been arrogant, has told lies and has misrepresented the truth. In the end it will use country Victoria as a tool to make sure it is continually re-elected here in Melbourne.

If we go back to the issue of water, Melbourne has options with its catchments for its future water needs for the next 50 years. It does not need water from northern Victoria.

Mr Helper interjected.

Mr WALSH — I will tell you the options later. The government is putting wastewater out to sea; it is putting stormwater out to sea. There are options for Melbourne for water for the next 50 years without taking water from northern Victoria, without taking water from an already drought-affected catchment to supplement Melbourne. There are options here as it stands now. I condemn this government and I condemn this matter of public importance.

Mr HARDMAN (Seymour) — I rise to support the matter of public importance and agree that we should

congratulate the Victorian Labor government for rebuilding and revitalising rural and regional Victoria after the devastation caused by the previous government, a coalition of the Liberal and National parties. The coalition was, and has just again become, a heartless and insensitive mob of wreckers. It was a coalition government that tore down instead of building, a coalition that walked over instead of with the community — —

Mr O'Brien interjected.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Malvern! Interjections like that are disorderly. I will protect members of the opposition as I will protect members of the government, but if I continue to get interjections like that — that is inappropriate behaviour in the Parliament.

Mr HARDMAN — It was a coalition that divided instead of united. The Victorian Labor government understands that rural and regional Victoria is made up of many communities. These communities need services and facilities. They need jobs and they need infrastructure to support their economic development. These concerns guide the Victorian government. That can be seen in our actions, our policies and our programs. Right across the board our government cares about regional and rural communities, unlike members of the coalition, whose actions speak louder than their weasel words.

When the coalition was in government it closed 300 schools — 178 of those were in country Victoria. It closed 12 country hospitals and shut down six country rail lines. In contrast, our government has opened new schools and railway lines, and not just in its electorates but in seats right across rural and regional Victoria. The Victorian Labor government has gone even further. When it was in government the coalition ran down our schools, our hospitals and our train lines. In contrast, we have invested heavily and built up and revitalised these important services and facilities. There is still much to be done, mainly because of the seven dark years of neglect under the coalition and the way it called country Victoria the toenails of Melbourne.

The Nationals on the other side — there are not too many left — bleat like little lambs and say that was then and now they have changed. We know that beneath their sheep's clothing there is a wolf waiting to come out and wreak the same devastation on country Victoria when it gets into power again. The wolf is waiting to be unleashed. It wants to tear down all the good work that the Bracks and Brumby Labor governments have done for Victoria.

Even in opposition the coalition members are out there undermining key projects which will mean increased productivity, better efficiency and better use of our valuable resources. An example is water. I call them the wreckers. They wish to stop the food bowl modernisation project. The food bowl modernisation project will double production in the food bowl area. It is a \$1 billion investment, and The Nationals and the Liberal Party want to wreck it. That project will secure the future of that area. It will revitalise that area. It will provide a dynamic community. It will help keep schools and hospitals open. It will help make a dynamic area. It will help to create more wealth in the area, but the wreckers on the other side continue to put down this project and try to scuttle it.

An honourable member — Unsuccessfully.

Mr HARDMAN — Unsuccessfully. The coalition members have been undermining the channel deepening project the whole time. We do not know where they are. They flip, they flop — they are inconsistent. The only consistent thing about the support or opposition of The Nationals for the channel deepening project is their inconsistency. The Nationals and the Liberal Party need to get their act together. Maybe a coalition party will help make that happen: we do not know. The coalition needs to have a big think about that.

Education is something that I, as the member for Seymour and a former school principal, teacher and head teacher of small schools, am very passionate about, especially in regard to rural schools, where I spent all of my teaching career. The Brumby Labor government believes that all students should have access to education in their local communities where possible. We have maintained that all the way along. We want people in rural and regional areas to have broad educational choice. Those opposite sit over there bleating like lambs, but Wallan Secondary College is a case in point. When in coalition government the Liberal and National parties did not want to build a new secondary college; they wanted to flog the land the previous Labor government set aside on which to build a new school. Wallan Secondary College is a great example of the coalition being the wreckers and the Labor government being the rebuilders and bringing about the revitalisation of country Victoria.

Last Easter we announced a program to create more permanent buildings in rural and regional schools. One of those schools is Upper Plenty Primary School, which is in my electorate, and I am sure some of the other schools which will be assisted by the program and which are scattered right across rural and regional

Victoria will be in seats held by The Nationals and the Liberal Party. We know in those cases the local members will claim credit for the great work they have not done for those schools. We know, and the people there know, that it is actually the Brumby Labor government, and the Bracks Labor government before it, that cares about rural and regional communities and understands that quality education services, quality health services and quality public transport services are important to the quality of life in country Victoria.

We have also taken up the challenge on skill shortages. We have a program to rebuild science and technology wings across the state. Across my electorate, technology wings have already been established at Healesville Secondary College and at Alexandra Secondary College. There was also a lot of investment into Whittlesea Secondary College when that was in the Seymour electorate; it is now in the Yan Yean electorate. Those projects are important. There are going to be more to come because the Brumby government is committed to that. We have to remember that 9000 teachers were sacked under the former coalition government. We have employed more teachers. Welfare officers in secondary colleges were sacked under the former coalition government; and we have employed welfare officers in disadvantaged schools.

We have to look at the actions of a government and compare those actions with what it says. Another area we must have a look at, and I want to remind people about, is rural schools. In 1992 and 1993 I taught in rural schools in the electorate of Benalla as a music shared specialist. I can well remember, as do the local communities, the anxiety they felt as the coalition went around trying to close down their schools and putting them under pressure.

Mr Mulder interjected.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Polwarth will have his opportunity.

Mr HARDMAN — In the end some of those schools might have survived. A couple of them were kept open briefly, but the music shared specialists or the shared specialists in rural schools across the state who were helping to provide a better mix of teaching in those schools were sacked. They were among the 9000 teachers who were sacked. I recall that quite well.

I refer to the shadow minister for country water, which is a very undefined portfolio. The Leader of the Opposition was reported as saying about urban and country water:

There's interrelationship, but urban water certainly covers metropolitan Melbourne, the Geelong region, coastal regions and will, of course, cover Bendigo and Ballarat and there'll be a relationship and we'll be working together. That's what this is about.

That is urban water. The shadow minister for country water must represent the electorates which are north of the Divide and which are held by The Nationals, or something along those lines. In Victoria we have no such thing as urban water and rural water. I am pretty sure it is the same across the country. We need the shadow minister for country water to define what he actually does do.

The shadow minister also forgets that the people of Seymour do not have short memories. They helped boot out the coalition government in 1999, as did the people of Narracan, as did the people of Gippsland East and as did the people of Mildura. The shadow minister earlier criticised those people for electing their local members. He said they should have elected The Nationals. I am sorry, mate, but I do not think that is the way to go at all.

On water, for example, in the Seymour electorate, the people of Wallan will remember that we took them out of the Goulburn system and put them onto the Melbourne water supply. The people of Kilmore, Wandong and Heathcote Junction will remember that we augmented their supplies with water from Melbourne as well, and the people from Broadford know that we are building them a pipeline from the Goulburn River. I wonder if the Liberal and National parties are going to oppose that. I hope they do, because it would be great thing for us all to see.

The member for Gippsland South, the deputy, deputy leader as he was described earlier by the minister at the table at the time, said that in Victoria they voted 750 times to ensure the Kennett government could devastate country Victoria. I found that an interesting admission. I also found it funny that he criticised the Regional Infrastructure Development Fund, because it has put in or helped attract \$1 billion of investment in rural and regional Victoria.

The ACTING SPEAKER (Mr Ingram) — Order! The honourable member's time has expired.

Mr MULDER (Polwarth) — This is the finale, is it not? This is the flogging and the bashing that the Labor government was going to give the coalition. Yesterday we had the Attorney-General on his feet, and he looked like he had been slapped across the moosh with a fish. Today we have this lame duck matter of public importance put forward by the member for Bendigo

East, who seems to have somewhat lost her former air of confidence over the last couple of weeks. If members have seen her on TV they will have seen her bouncing up and down, excited and fired up, shrilly asking, 'What's going on? What's going on? The Nationals and Liberals are in coalition. This is terrible. This is outrageous. It shouldn't be happening'.

And this is the finale. We did not need to put on the bullet-proof vests to come in here. We thought we were going to be attacked. You have nothing to say. All you can do is go back in history. You have nothing to say and you have got nowhere to go and you know it.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Polwarth should address his remarks through the Chair.

Mr MULDER — And you know it very well. I would have thought on a day like today, with an attack being launched on the coalition, that we would have had some key ministers in here. I would have thought in my shadow portfolio at least we would have the Minister for Roads and Ports, who is very keen to discuss important areas in rural and regional Victoria, and of course the Minister for Public Transport. Are they coming in here to support this matter of public importance? No. They are sitting in their rat holes down below too scared to come up, because they both know there are some significant and serious issues brewing away in country and regional Victoria for which they certainly do not want to be held to account.

I refer to an issue that was raised yesterday. Yesterday the government announced funding of \$20 million for the regional rural freight network. When Asciano announced that it was either going to sell its business or pull out of Victoria, the Minister for Public Transport said it was a commercial decision and had nothing to do with the government. In other words, the minister was prepared to turn her back, walk away and let the rail freight network collapse. What happened? The opposition took up the matter. The opposition fought for the train drivers throughout country Victoria. The opposition met with the container operators; it met with the rail freight alliance; it went everywhere. The government followed us along to try to see what was going to come out of this scenario for the government of the day. The simple fact of the matter is in the end the government backed down because of the pressure that was applied to it by the Liberal Party throughout this process.

When this particular scenario is followed through, it can be seen that prior to the election the government paid \$133.8 million to Pacific National to take the rail

freight network back. There was an announcement that there were going to be upgrades worth \$25 million in relation to the rail freight network. We found out via an FOI document that \$7.7 million of that had already gone; it had been handed to Pacific National in back pay. There was not \$25 million to spend to upgrade the rail freight network, because \$7.7 million of that money had already gone.

Now we find another \$20 million is being handed over for subsidies for the next two years. Yes, we have to save the rail freight network; we do not want to lose all our rolling stock; we do not want to lose our drivers out of Victoria. But it is a patch-up job; it is a bandaid job. How did we ever fall into this position? When you look at a government like the Tasmanian government, you see that when it took back the rail freight network from Pacific National, it signed a contract to make sure it stayed on as the above-rail operator. This process has now cost us around \$160 million. We still have no certainty as we move forward. It is a bandaid situation, and this government is absolutely and totally responsible for it, because it must be remembered that Pacific National is your client. It was not a client of the former Liberal coalition government. It is your client.

The ACTING SPEAKER (Mr Ingram) — Order! I remind the member for Polwarth to direct his remarks through the Chair.

Mr MULDER — The problems that are facing us now on a day-to-day basis are the result of work undertaken by the Labor government here in Victoria.

I would love the Minister for Public Transport to have come out on this particular issue. I would like to know, for instance, where is the \$1.8 million Ernst and Young report into the 2267 level crossings across the state of Victoria? It has been sitting on the minister's desk now for two months and not a thing has been done in relation to that report. What does the report say about the 1440 level crossings across the state that only have give-way or stop signs?

The minister should bring that report into the Parliament and speak to it here on the floor of the house. Why has the Minister for Public Transport provided details to local government, rail operators and road authorities, while the government's own requirements, which are outlined in this report, remain a secret? It remains an absolute secret in relation to the state of those death traps. What explanation can the Minister for Public Transport provide for the 13 deaths on the Swan Hill line in under nine months, where 71 out of 98 level crossings have only a give-way sign or a stop sign? The minister should come in here and give

us an explanation in the debate on this MPI, because it is a matter that affects rural and regional Victoria.

Mr Helper — You are a grub!

Mr MULDER — And you are a dog!

The ACTING SPEAKER (Mr Ingram) — Order! The Minister for Agriculture should not make unparliamentary comments. I remind members to treat other members with respect.

Mr MULDER — Old dog, I will say; I am sorry. Where is the public transport minister's secret list of 143 level crossings identified in Public Transport Safety Victoria's report into the train and truck collision at Fairley, near Kerang, that ranked the crossing at Fairley — just out of Kerang — at no. 140? Where are the other 139 death traps about which the minister refuses — refuses continually — to notify the communities that could be affected? Surely in terms of a duty of care the locations of those 139 level crossings should be made public immediately so that school bus operators, transport operators and people who live in those communities have a chance to monitor and understand the potential danger that those particular level crossings pose to the people who live in those areas.

When will this Minister for Public Transport stop conning regional Victorians by sending out misleading media releases claiming upcoming level crossing upgrades when the minister knows that a significant number of the announced upgrades relate only to pedestrian crossings? How many more deaths do we need — or is the Minister for Public Transport going to wait for another catastrophic event and make yet another announcement? Each time we get another death on the rural rail network we get another announcement.

Why did the Minister for Public Transport give approval to V/Line to commence painting its old trains light grey? I invite members to go down to Southern Cross station and have a look at them. It is painting them light grey — a colour that blends in perfectly with a winter sky in rural or regional Victoria. Why did the Minister for Public Transport allow the Albury–Wodonga line to fall into such a state of disrepair that the line had to be closed down and passengers now have to be herded onto buses at Wangaratta, with the trip taking an additional 62 minutes on Saturdays? Why can the Minister for Public Transport not even get the basic amenities on V/Line trains, such as clean and functioning toilets, working properly and serviced, as they should be, from Southern Cross station?

Why did the Minister for Public Transport sit back and allow the Chief Commissioner of Police to slash the number of transport police available to deal with crime on the public transport network? Violent incidents are now being reported on V/Line services. Why did the former Minister for Transport cancel the upgrade to Melbourne's signalling system, causing a ricochet effect down the line affecting country trains and causing delays and cancellations? Why did the Minister for Public Transport approve of a new order for trains being built in France with no local content work being made available for the North Ballarat workshops? What a hoax to play on the workers of North Ballarat! They pay their union fees. Those fees are then transferred to the Labor Party and are used to get union officials elected to this place, who then send the jobs of those union members off to France. The work is not done here in Victoria.

Why did the Minister for Public Transport and a predecessor support the botched \$1 billion myki smartcard system over and above other vital regional and rural infrastructure projects such as an emergency helicopter for south-west Victoria? Why has the Minister for Public Transport not stood up to the Treasurer and the Premier and demanded that something be done about the number of rock throwers who are vandalising trains and threatening the safety of passengers? Why has she not at the same time made sure that the safety glass in those trains is up to standard? Why did the Minister for Public Transport agree to upgrade the railway station at Kangaroo Flat only after the local branch of the Liberal Party had organised a petition for improvement of those services? Why, after stretching the timetables for V/Line long-haul services, can the Minister for Public Transport not get trains to run on time?

Why did the Minister for Public Transport stand back while the fat cats at Southern Cross station spent taxpayers money on booze, Santa's helpers uniforms and cakes from David Jones? Why has the Minister for Public Transport allowed V/Line to cancel luggage handling services for pensioners and families at Southern Cross station, forcing them to hoof it with their luggage over long distances? Why, after providing such a lousy and unreliable service, has the Minister for Public Transport asked V/Line passengers to pay more, go slower and get less from 1 January this year? Why did the public transport minister issue a directive to her colleagues to send their complaints about the public transport system to someone who cares — a directive that worked, because the complaints dropped by a whopping 30 per cent? And why will this government not fund the upgrade of the Princes Highway from

Geelong through to Winchelsea, as was committed to and promised by former ministers and former premiers?

Ms DUNCAN (Macedon) — It is always a pleasure to rise to speak on a matter of public importance in this place, and it is always interesting to follow the member for Polwarth and to follow members of The Nationals. I have to say that I do find The Nationals a bit of a curiosity, and I am even more surprised that they have decided to go back into coalition with the Liberal Party. I thought they had learnt a lot from their previous relationship with the Liberal Party and that they were now no longer bedfellows. In fact my memory is that in 1999 they could not move far enough or fast enough away from the Liberal Party. They sit here with smug looks on their faces as if they speak exclusively for country Victoria and no-one else can speak for country Victoria, and as if only what they say and what they do is right and everything else that everybody else does is wrong.

To some extent you can almost start to believe their rhetoric, but to disprove it one only needs to look at, say, one small issue that I had when I had the privilege — I guess it was a privilege, but it was a fraught privilege — to be on the environment committee when we were first elected to government. We looked at ovine Johne's disease, and we looked at the way in which The Nationals treated their farmers and destroyed families because of the way in which they sought to eradicate ovine Johne's disease. They thought they could eradicate it. It had never been eradicated anywhere, but they thought that they could eradicate it. This group of politicians, who claim to be so close to the people of country Victoria, mismanaged the entire handling of that disease — and it was not just them but also their political organisation, the Victorian Farmers Federation, which was right behind them.

I have to say that the one question that was uppermost in the minds of the committee members was, first of all, whether the slaughtering of every sheep and every lamb on every property was absolutely necessary, and secondly, whether it was compulsory or was just recommended. To this day we still do not know whether that was something farmers were forced to do. I suspect when you are faced with the threat that your neighbours will sue you if their sheep contract the disease, there is not a whole lot of choice in that. That is just one small example of one policy of The Nationals — they stand there and claim to represent country Victoria — to show how wrong they got it, and that has been repeated in their other policies across this state.

Previously we heard the Deputy Leader of The Nationals make some reference to the claim made by the Brumby government about the number of votes that he had taken part in under the Kennett government. He was very quick to stand up — very self-righteously — and state that it was not 1165 votes or whatever the figure was. He then referred to some 700 pieces of legislation, which he seemed very happy to say he had supported. So while he might dispute the number of votes, he has not disputed the substance of what we are saying — that is, that on every one of these destructive things that were done in rural Victoria The Nationals in coalition were right there beside the Liberals every step of the way. They were voting to close those hospitals, voting to sell off country rail and voting to not just close schools but sell the land from underneath them. Now he has come to us and asked us why we have not reopened these schools. Perhaps we need to get Baillieu Knight Frank to start scouting country Victoria for us for some sites that we could perhaps buy back — and they might get the commission on the sale and on the purchase. That would be quite interesting.

We also heard from the member for Swan Hill that we have got this new member for Narracan — I think that was one of the seats he hailed — and that this new member is not about taking things from country Victoria. Again, I just point to the legacy of The Nationals. Why would The Nationals believe that they would not, in a new coalition government, vote another 700 times in support of 700 pieces of legislation that were absolutely clearly detrimental to country Victoria? Previously they voted with the Liberals each and every time. We have heard previous contributions as well, I think, from the member for Swan Hill, who said The Nationals got Victoria going again, that they got Victoria moving. They sure did! They got Victorians moving to Queensland in droves — and we saw that happening year after year after year.

I would also just like to mention that we had a little chuckle from the members for Rodney and Swan Hill when the question was asked, ‘Where are the ministers in this chamber?’. I do not know, but I am assuming that they thought, while we are having a debate on rural and regional Victoria, that the fact that the portfolio of agriculture is represented in this chamber is laughable. Those members think it is laughable. I do not know what more significant portfolio The Nationals would consider was relevant to have represented in this chamber during a debate about rural and regional Victoria. I think they are a disgrace.

In fact, my contribution to this debate this morning is really about health. Just to go back to the comments made by the deputy deputy leader when he was talking

about members losing seats and things, I was very proud to win the seat of Gisborne from the then Minister for Health, Rob Knowles, back in 1999. Without saying too much about my efforts in winning that seat, the reality was that the previous member was a man not to be seen. The Liberal Party — we can all laugh and chuckle about this — had held that seat for 23 years and I was very pleased to claim it for the Labor Party.

Mr O’Brien interjected.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Malvern!

Ms DUNCAN — In regard to health — whether you are talking about health, roads, education or whatever it is — governments can do one of two things: they can either invest in them or they can take money away. This government has chosen to invest; the previous government chose to take money away. We would be the first to say there is so much more work to be done in country Victoria — right across Victoria. As a government we recognise that there is much more to be done. We know that we must continue to invest in that, but the improvements this government has made have been about the investments it has made since 1999. We have been rebuilding and investing in rural hospitals so that people living in country Victoria do not need to go to Queensland; they can get their health services close to home. Since 1999 we have built or upgraded 42 regional hospitals and aged-care services.

Mr Helper interjected.

The ACTING SPEAKER (Mr Ingram) — Order! The Minister for Agriculture should not encourage interjections.

Ms DUNCAN — What a contrast this is to the previous government. We have completed redevelopment works and hospitals in Colac, Lorne, Bairnsdale, Ararat, Stawell, Nhill, Beechworth, Shepparton, Echuca, Kyneton and Maryborough — right across the state of Victoria. These are not Labor Party strongholds, these are right across Victoria. We understand, we govern for all of Victoria, not just the CBD of Melbourne as Kennett in coalition with the National Party did when they did not envisage anything past the tram tracks of Melbourne and you guys sat there and voted with them every inch of the way.

We have employed over 2100 extra nurses and more than 200 paramedics in regional Victoria. In my own electorate we have seen additional services at Romsey, Gisborne, Woodend and, dare I mention as well, Sunbury — not technically rural but part of the rural

seat of Macedon. We have more than doubled the funding for Rural Ambulance Victoria, we have upgraded 35 ambulance stations, built 9 new ambulance stations and added an extra 47 vehicles to the fleet. You can either invest and improve, or you can take money away and lose services. You chose that path, we chose this one.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Macedon, through the Chair!

Ms DUNCAN — Through the Chair. We have also invested almost \$10 million in rural maternity initiatives to bring continuity of maternity care to 27 rural hospitals. Again, we want country people to be able to stay in their communities for the services they need. There are construction and planning works under way in hospitals in Geelong, Warrnambool, Ballarat, Nathalia and in my own electorate at Sunbury. This government is dedicated to improving cancer services in rural areas, and to date this has included the development of the first single machine radiotherapy services in regional Australia at Ballarat, Traralgon and Bendigo. Victoria is leading the way when it comes to rural health. We have invested \$18 million to support redevelopment and expansion.

The ACTING SPEAKER (Mr Ingram) — Order! The member's time has expired.

Dr SYKES (Benalla) — I join this enlightening debate, of which one of the most enlightening features so far has been that you look into the eyes of the members opposite where the lights are on and no-one is home.

I reject the city-centric Labor government's argument that it has rebuilt and revitalised rural and regional Victoria. On the contrary, country Victoria has survived and in some cases prospered, during an extremely tough period, in spite of the callous neglect by the Labor government, purporting to govern for all Victorians, and in spite of the numerous hurdles put in place by the government, particularly layer upon layer of additional bureaucracy and ream upon ream of red tape.

Country Victorians have survived, and in some cases prospered during this period, due to their amazing strength of character, their resourcefulness, resilience and stickability. Whilst they have tolerated the Labor government during this time, recent actions, particularly the proposal to put in place the north-south pipeline, have resulted in country Victorians saying, 'Enough is enough'.

Let us have a look at some of the examples of what the Labor government's involvement with country Victoria has been over a very tough decade. Look at the drought. The drought and the Labor government's response to the drought highlight the duplicitous nature of the city-centric, callous Labor government. When drought hit Queensland causing its agricultural outputs to be reduced, Victoria became the no. 1 exporter of agricultural produce for Australia. The Victorian Labor government claimed credit for that position. However, when Victoria was affected by severe drought, rather than accepting responsibility the government said that productivity was down because of the drought rather than the action or inactions of the government. It was a classic case of, 'Take the credit for the good things and blame others for the bad times'.

If we look at this government's response to the drought, we see it has been dragged kicking and screaming to provide a helping hand to people doing it really, really tough in country Victoria. The measures the government has provided have been modest, inequitable and delayed. Modest: the total contribution of the Labor government to the drought response for country Victorians is in the order of \$170 million or \$200 million or two days income. Inequitable: things like the tank rebate, which is not available to people who are not on reticulated water systems. It is amazingly inequitable. Delayed: the government has repeatedly been requested to provide support for drought coordination officers in local councils. It drip-fed the money for part-time six-month contracts, and now belatedly it has provided money for 12-month contracts. We have had to beg for mental health services. We have had to beg to fund our outreach workers to keep our people alive, people who are extremely fragile mentally and financially. We have had to beg for the money to keep them going. It is a shame.

After the 2003 bushfires the government announced \$68 million to rehabilitate and replace infrastructure that was burned. Do members know that a large chunk of that money was substituted for core funding by the Department of Sustainability and Environment? A sleight-of-hand manoeuvre. If we go to the 2006-07 fires, we see that in January the government made announcements of substantial money to assist tourism recovery to the area — much-needed tourist dollars to get the country back on its feet. The money did not turn up until four or five months later, after the main summer-autumn tourism season was over.

Let us look at the government's policies of helping country Victorians in their time of need in relation to bushfires. When there is a bushfire and the government

puts in containment lines it will replace the damage on private properties — if they bowl over a fence or two; the government will replace those. But when a farmer's paddock is set on fire or his boundary fence is burnt out or hundreds of hectares of country are burnt to protect against the fire coming from public land, the farmer does not get a brass razoo. Thanks very much!

It is the same with water. The government will not stand up and accept responsibility for replacing all water taken to fight fires on Crown land. It rejected a proposal from The Nationals for inclusion in amending legislation and now that legislation sits wallowing.

We have heard mention of the toxic waste dump at Nowingi, but one November a toxic dump was proposed at Violet Town. One day later local people were able to identify that the toxic dump site was totally inappropriate; they had photographs of it being under 3 feet of water! What did the government do? It thought about it. It went through a consultation period and then in February it decided it would not continue with a possible toxic dump site at Violet Town. But it continued the charade of consultation under the guidance of the then Minister for Major Projects, who is now responsible for government business in this house.

The government continued the charade of consultation through until May and then said, 'We have changed our minds'. Part of the price for that was that members of two of the five families directly affected by that charade of consultation suffered nervous breakdowns and they are still wobbly today. I say to the Minister for Community Development, who was the Minister for Major Projects at that time — the man who only two or three weeks ago called people, 'Ugly, ugly' — that he should live in shame with the knowledge that he caused two nervous breakdowns.

Then we have the issue of the mountain cattlemen. We have never had the debate assessed by an independent expert on the pros and cons, or pluses and minuses, of what happened with the mountain cattlemen, leaving aside the heritage values. We had the charade of a consultative process. The then member for Narracan, a then member for Central Highlands Province in the upper house and another member were sent up there to go through the charade of consultation. But the decision had already been made to satisfy ideological commitments, and we walked away from the mountain cattlemen, the people who had been there with their families for 170 years and who loved the bush and had worked their guts out to keep it going. Then the *pièce de résistance* was the advertising campaign where we had the doctored photos taken in false locations and

made inappropriately gloomy to sell the story that mountain cattle cause damage to the high country and that their removal was in the interests of everyone. That was deceitful.

The water debate has been covered on a number of occasions, but let me just say that the decommissioning of Lake Mokoan is an absolute debacle and a disgrace in terms of government handling of community and community consultation, The pipeline and the food bowl modernisation projects smell even more. The food bowl modernisation project is about reconfiguration rather than upgrading. It is about transferring water losses from public to private — not so much water savings, as claimed, but transference of losses. The people who will pay for that are the small irrigators, the family farmers not on the main channels, because they will pay more per megalitre of water and they will have to buy more megalitres of water to cover the losses. Do members know what that will cause? It will cause the accelerated departure of thousands of mum and dad farmers from irrigated agriculture in northern Victoria. That is called social engineering, not water saving. The water saving exercise is laughable. The savings are not there in dry years because the losses are not there in dry years. What about the — —

Mr Hardman interjected.

Dr SYKES — The losses are not there in dry years! They are half what they are in the years being used by the government to support its argument. What about the arrogance of the government in the consultative process? In response to the draft recommendations from the food bowl group, 140 submissions came in, with most of them objecting and raising serious concerns. How many recommendations of the food bowl modernisation group were altered and how many were adopted by the government? Almost zero recommendations were altered as a result of receiving 140 submissions outlining major concerns. The government did not to accept or respond to the major concerns except to ignore them.

I will finish with the government's attack yesterday. What an appalling performance by the Deputy Premier. The best he could do was concentrate on a web site that was two weeks out of date. I draw to the attention of the house the fact that only 12 months ago the Department of Primary Industries call centre was referring fox control inquiries to me, and I left the then Department of Agriculture 20 years ago. Maybe the government should get its own records up to date.

Ms GREEN (Yan Yean) — It is with great pleasure that I join this debate to support the matter of public

importance submitted by the member for Bendigo East, who is also the Minister for Regional and Rural Development. The motion states:

That this house congratulates the Victorian Labor government for rebuilding and revitalising rural and regional Victoria after the devastation caused by the previous government.

I start by saying that I agree with the member for Benalla, whom I followed. He started his contribution by saying, 'When you look into the eyes of the opposition, the lights are on but nobody is home'. That is what he said, and I agree with him. You have to feel sorry for the member for Benalla. There he is on the back bench, dumped from his shadow portfolio and absolutely friendless.

An area that I am passionate about is police and emergency services. We heard the member for Swan Hill erroneously bleating about police numbers, but in this new marriage of convenience do The Nationals have any concern about policing or emergency services? No, they do not have a spokesperson: no appearance, Your Honour. The member for Benalla had a good shake at being the spokesperson, but: no appearance, Your Honour. He has been replaced by a spiv from Kew. No-one in regional and rural Victoria believes that the spiv from Kew will pay any attention to policing, community safety or emergency services in regional and rural Victoria.

However, I remind the house that maybe The Nationals have a reason they do not want a spokesperson in this area. I remind the house and the Victorian community that the two ministers who served in those seven dark years of the Kennett government — when police numbers were gutted, communities were ruined and crime rates went up in country Victoria — were both members of The Nationals. They were the former member for Benalla, Pat McNamara, and former police minister, Bill McGrath. The community should never forget the record of The Nationals in relation to policing and emergency services.

The Kennett government came to office saying it was going to increase police numbers, but we know what it actually did. It sacked police and diminished the number of police officers. I am proud to say that this government has turned that around. We have reversed that damage and we have made record investments in policing. In the 2007–08 budget this government will spend \$1.6 billion on Victoria Police. We have increased the number of police by over 1400, and in that time, since 2000, Victoria's crime rate has fallen 23.5 per cent, making it the lowest crime rate in Australia. We are not resting on our laurels. At the last election we committed to an extra 350 additional sworn

police as well as an additional 50 forensic and specialist investigators. We have also committed to providing additional resources and equipment to assist police in their work, including 100 additional police cars.

During the Kennett era, under the watch of The Nationals, as a willing party in that coalition government, police stations were allowed to fall into a state of disrepair. This state government has embarked on the largest state police building program in Victoria's history. We have rebuilt or significantly refurbished 149 police stations and residences across Victoria at a cost of \$400 million, and 117 of these police stations — three-quarters of them, or 78 per cent, are located in country Victoria. It is an impressive list of improvements, including Maryborough police station at a cost of \$4.7 million, Nhill police station at a cost of \$1.1 million, Bellarine police station at a cost of \$5 million, Bendigo police station at a cost of \$19.7 million, Gisborne police station at a cost of \$5 million, Mildura police station at a cost of \$18.4 million, Tallangatta, Seymour, Mount Hotham, Bairnsdale, Warragul and Latrobe Valley — the list goes on. For the first time we have a police station adjacent to and servicing my electorate in Kinglake. That is something that the Liberals and The Nationals would never have done. I stand here extremely proud of that achievement.

We have also seen huge decreases in crime rates in rural and regional Victoria. In Geelong we have increased police numbers by 21 per cent and the crime rate has fallen by 33 per cent. In Ballarat the number of police has been increased by 35 per cent and crime has fallen by 17.9 per cent. In Central Goldfields police numbers have increased by 23.1 per cent and crime has fallen by 47.6 per cent. In Macedon, Shepparton, Benalla and East Gippsland there have been similar outcomes. That good news story is something that The Nationals will not want to hear.

In the five and a half years that I have been in this house I must say I have quite often enjoyed and quite often agreed with some of the contributions made by the Leader of The Nationals. He has spoken quite well. But today I think we have seen that as the deputy deputy leader of the coalition, or vice-deputy leader of the coalition, he has lost his mojo and has sunk to a new low. He had nothing to say, so he resorted to a cowardly, personal and sexist attack on the Minister for Rural and Regional Development.

We know The Nationals have no commitment to women. In the history of the National Party only one woman has ever been elected, and no young people — they do not exist. Now The Nationals are in bed with

the Liberal Party I am sure they will show the same lack of regard for and lack of commitment to women in public life as we have seen demonstrated in the cowardly attacks on the Chief Commissioner of Police, Christine Nixon, by members of the Liberal Party, particularly Mr Finn in the other place, who has conducted a constant cowardly attack, undermining in a terribly sexist way the fantastic work done by police commissioner.

Then we have had the member for Scoresby decry the work and commitment of the Victoria Police and the Chief Commissioner of Police on domestic violence. The opposition does not care about tackling this important issue. I absolutely support and put on record my support for the work of Christine Nixon and Victoria Police in their tackling of this difficult problem, which is something that the opposition does not support and would never have had the courage to do.

I can see why The Nationals have made such a pathetic contribution to this debate today — because they are hanging their heads in shame. But we know that they are back in a marriage of convenience. We know that regrettably one in two marriages fails, so we may see this one fail again. The Nationals were happy to go along for the ride when Jeff Kennett was the Premier of Victoria, when he described regional Victoria as the toenails of the state. The National Party sat by while those ‘toenails’, as described by Premier Jeff Kennett, did not just get a clipping. While The Nationals were in charge and were along for the ride in those white cars, rural and regional Victoria got a double amputation.

I am really proud to say that this government has turned it around. I am pleased to support this matter of public importance. I absolutely support the contributions made by the members for Seymour, Macedon and South Barwon, and I look forward to hearing the contribution from the member for Ballarat East. We have had some good things to say about what this government has done. The Nationals have got nothing to say about their record, because they did not support rural and regional Victoria. I commend this MPI to the house.

Dr NAPHTHINE (South-West Coast) — We know what this government thinks of people from rural and regional Victoria. The Leader of the House has described people there as ugly, ugly people. The Premier simply believes that people in rural and regional Victoria, particularly those in western Victoria, simply live too far away to count, and have access to a south-west rescue chopper that would save lives. They live too far away to be listened to when it comes to the developments in the port of Portland for the cray

fishing fleet. Fundamentally he has given the finger to the people of Portland by prescribing that they must have finger berths for the cray fishing fleet when the whole community is opposed to finger berths which are ugly, unpopular and dangerous. This government has given the finger to the people of Portland and to the cray fishing fleet and said they must have them whether they like it or not.

This motion provides a good opportunity to examine the performance of the Labor government in rural and regional Victoria over the past eight years. There are many examples we could use in terms of this issue, but let me go to just some of those examples in my brief contribution to the debate. Let us look at rail standardisation and what this government said on 30 May 2001. The then Minister for State and Regional Development, now the Premier, said about the rail standardisation that was announced by the government:

... a key initiative in the budget brought down in this house two weeks ago was the provision of \$96 million over the next few years for the regional freight links program to provide standardisation of the rail freight gauge right across Victoria, but particularly linking Mildura with Portland.

He said further:

Those on the other side could never find the funding and could never get the budget decision to support it, but the Bracks government did in its second budget.

That is what John Brumby said in 2001. Further, the then Minister for Transport, the present Leader of the House, said in June 2002:

Standardisation is a vital project for regional economies that will drive jobs and investment for decades ... The Liberal and National parties in the Kennett government failed to deliver any progress on this project during seven years ...

He said further:

... the first stage of track conversion on the Mildura line will occur early next year ...

That is what he said in June 2002. What is the outcome of that? The outcome is that not 1 metre, not 1 centimetre, not 1 millimetre of the Portland–Mildura track has been converted to standard gauge some six and a half years later. The project has been abandoned. Worse, we now find the very future of the Portland rail line is in jeopardy because of the incompetence of the Brumby Labor government and the lack of concern it has for rail freight in country Victoria. The *Portland Observer* of 13 February this year reported:

The future of the Portland–Maroona rail line has been thrown into disarray with Pacific National starting the process of withdrawing all rolling stock from the Portland yards.

The corporate manager from Pacific National said:

The rolling stock will not be returning.

The staff would be given redundancy.

An article in the *Hamilton Spectator* on 12 February said:

The push to replace freight operator, Pacific National, on the Portland–Hamilton–Marooona line, is looking shaky.

When the Alliance of Councils for Rail Freight Development met with the Minister for Public Transport, its chair, Vernon Knight, said:

The delegates were shocked that the government appeared so devoid of any vision for the future of rail freight in Victoria.

Ms Kosky interjected.

Dr NAPHTHINE — Vernon Knight is a prominent citizen from Mildura and a senior councillor there who has had an enormous track record as the director of Mallee family care. He is somebody who cares about the community and has lived a life of caring about the community. The minister at the table, the Minister for Public Transport, sits here and insults him across the table in a disgraceful attack just because Vernon Knight has had the gumption to stand up to the minister and say she has failed the community of western Victoria, from Mildura right down to Portland. She has failed it on rail standardisation and she is failing it now by allowing the rail freight system to collapse. That is the rail freight system and the so-called promise on standardisation.

Let me move to another example — country racing. The Labor Minister for Racing has recently presided over and supported changes to the racing calendar for 2008–09 which will decimate country racing and put country racing clubs at risk of closure. Racing Victoria Ltd has relocated 28 meetings, which have been taken from country clubs to suburban clubs. Five TAB meetings have been downgraded to non-TAB meetings. Many popular Sunday meetings have been relocated from country to city clubs. The people in the industry are absolutely outraged by this action by the Minister for Racing, who has failed to stand up for country racing and rural and regional Victoria. That is how much this government cares about rural and regional Victoria. Something as fundamental as local volunteers running their local race clubs has been kicked in the guts by this minister and this government, who do not care about country racing.

In the *Age* of 25 January, Scott Whiteman, who is the chief executive of Country Racing Victoria, is quoted as saying:

... many country clubs had been 'gutted' by the loss of meetings and by the downgrading of some meetings from TAB to non-TAB status.

In the *Standard* of Warrnambool on the same day an article says that Camperdown, Mortlake, Casterton, Terang, Hamilton and Colac will all lose meetings. John Donnelly, who is the secretary of the Hamilton and Coleraine clubs, is quoted as saying:

It is administrative closure by stealth ... From here to the border I feel it is a gradual dismantling of the industry.

He said he was concerned that trainers and owners in the far south-west would become disillusioned and leave the area. The Camperdown racing club also made some very negative comments.

In the *Weekly Times* of 20 February under the headline 'Unbridled anger over racing blow', Tom Porter from the Apsley Racing Club is reported as saying:

... if this is looking after the racing, God help country racing.

Certainly they had better ask for God's help, because they will get no help from this minister or this city-centric Labor government that does not care about racing in country Victoria. When we look right across country racing we see it is the same. There are clubs across the length and breadth of the state that have had their meetings decimated by this decision.

Now there is an opportunity here. This decision was presided over by Stephen Allanson in his role as chief executive officer of Racing Victoria. He has now had to resign in disgrace over his betting scandal, so I would urge the minister to take this unique opportunity to review these decisions and restore these meetings to country race clubs across the length and breadth of the state. Whether it be Towong, Mildura, Moe or clubs in Western Victoria, they deserve their meetings back. Restore the TAB meetings, and give Ballarat what it asked for. I challenge the member for Ballarat East to support me in this to give Ballarat the meeting it wants. It wants to have the Ballarat Cup meeting in October before the Caulfield and Melbourne cups. We should give Ballarat what it wants and give it a real boost.

This government has a record, whether it be on rail standardisation or whether it be on country racing. It was only back in 2005 that it closed seven harness racing tracks in Boort, Gunbower, Hamilton, Ouyen, St Arnaud, Wangaratta and Wedderburn. It has

decimated country harness racing; now it is attacking country thoroughbred racing.

On top of that, if you look at local issues in my electorate, you see the single most important issue to my community is the life-and-death situation that we face each and every day because we do not have an emergency helicopter. The south-west is the only part of the state that does not have a locally based emergency helicopter. There are 180 times a year that helicopters would be used in life-and-death situations. In this calendar month alone, every second day we have seen an article in the local paper of another case where a helicopter has had to be called from another part of the state to save a life in south-west Victoria. We deserve a locally based helicopter; it has been ignored by a city-centric government and a Premier who thinks that Warrnambool and Portland are simply too far away to care.

It does not matter whether it is the closure of police residences at Heywood, the lack of decisions on development plan overlay 7 on planning in the shire of Glenelg, the abolition of the fox bounty or the lack of fuel reduction burning; this government simply does not understand or care about country Victoria.

Mr HOWARD (Ballarat East) — I rise and stand proudly as the member representing the electorate of Ballarat East, which is part of regional Victoria, as part of the Brumby government and formerly the Bracks government. I support this matter of public importance brought forward today, which recognises and congratulates this government on its contribution to revitalising rural and regional Victoria after the devastation caused in those seven dark years of the Kennett government. The comparison is stark. Across my electorate I see much that has been delivered, as have so many other regional MPs, whether they be from this side of the house or from the opposition ranks.

That can be compared with those seven years of the Kennett government that I have talked about when they saw so much lost from their regions. I know that I was elected in 1999 because people across regional Victoria saw how The Nationals and the Kennett government overall had let down regional Victoria and country Victoria by closing schools, closing hospitals and letting rail lines degrade and also close down. We know that story; the people of Victoria know that story, and they are not going to forget it.

By comparison I know that the people in my electorate, and the people across much of regional Victoria, see that economically they are better off. They see the

many statistics that show more people are moving into those major regional centres, and the economies of areas such as those covered by my electorate are doing well, and they know they are doing well because they have their schools seriously funded for a change in terms of infrastructure works. They see their hospitals and police and emergency services being well supported.

As we have also heard from previous speakers on this side of the house, some of those important issues that have arisen since we came to government, particularly water infrastructure issues, are being addressed with vision by this government. As I have already said, and as the member for South Barwon spoke about earlier, the vision shown by the government with the goldfields super-pipe, for example, is something that people from my electorate will long remember.

If, as was a vague possibility at the last election, the opposition had been elected to government, we know that its policies in regard to water would have been a disaster. They were only going to try to give us Geelong's water from the Lal Lal Reservoir which is now nearly dry. That would have given Ballarat nothing but the vision in regard to the super-pipe which The Nationals and Liberals at that time decried as a disgrace — those were the words used by the Leader of The Nationals. They see that as a visionary policy and the only sound policy that has ever been put forward to ensure Ballarat's water security into the future.

Having said that, I want to talk about what we have done for roads and public transport since we came to office, because there are great new stories. We have heard so much about the other stories, but when you look at roads you see that \$2.5 billion has been invested into country roads by this Labor government since it came to office.

Mr Delahunty interjected.

Mr HOWARD — You must have seen it in your electorates around regional Victoria because we certainly have in Ballarat East. I drive over some of those roads on a regular basis. We have significantly increased the investment in capital road funding in regional communities compared with the previous Liberal-National coalition. We have more than doubled the funding. When we look at the 1999–2000 budget put forward by the Kennett government we see there was \$100 million towards rural roads. In our last budget there was \$231 million — a 130 per cent increase.

Then we remember the black spot funding. Across country roads we have provided funding for 900 black

spots in regional communities. As a result of the first stage of our Arrive Alive strategy we have avoided more than 69 deaths on country roads, and through the next stage, which commits another \$230 million to road safety, we will see those figures further reduced through some outstanding policies put forward by this government.

When I look around my electorate I see dozens of sites where grey spot funding has been spent by this government to improve intersections. I see that all our state roads around the electorate of Ballarat East that I travel around regularly — the Midland Highway, the Western Highway, the road from Daylesford to Trentham, the Daylesford to Ballan Road and south from Ballan down towards Geelong — have all had significant upgrade works. These improvements have included putting in wire barriers for safety benefits and improved shoulder sealing and providing passing lanes on the Midland Highway between Ballarat and Geelong. We have seen some substantial upgrades to all those roads.

People travelling on roads around my electorate and in the vicinity will have seen substantial upgrades on state roads as well as that support for improving grey spots. As they drive to Melbourne they can see that the Deer Park bypass is now under way. After this state pushed for it to happen we eventually got federal government funding. We also have state funding committed to do the overpass work and the other state contribution. This will make a great deal of difference to road travel for people from western Victoria travelling to Melbourne. It also provides an economic opportunity as well as a practical opportunity for people on the roads.

Let us look at rail transport. Like many people around my electorate I have seen so many more reasons to use rail transport as an option when travelling to Melbourne. We remember how the former government let our rail structure degrade. Since we came to government we have had the regional fast rail project, and people are now travelling on the trains in huge numbers, as I did again on Monday between Ballarat and Melbourne. There are the new great-quality V/Locity trains travelling at good speeds on new, upgraded tracks. There are lower costs, with a 20 per cent discount on the price of tickets, providing a great opportunity for people to travel. We know that the lines that were closed, like the one to Ararat, have also been opened. We have provided many more rail services. We have been serious about ensuring that public transport is an option for people in regional Victoria travelling in both directions. We see that in the numbers of people wanting to use those services.

There are so many other areas across the state where we have improved public transport. We have opened new stations at Marshall and Sherwood Park. We have opened lines, as I said, to Ararat and to Bairnsdale. There are many significant improvements that make this government stand far apart from the old Liberal-National Party coalition government we had previously.

It has been sad to see that The Nationals do not seem to have learnt. We heard recently that they have gone back into coalition with the Liberals. You would have thought that maybe when they did that they would have said, 'We learnt from those seven dark years of the Kennett government that saw us ousted in regional Victoria'. You would have thought they would have said, 'We are standing up for a better deal, and we have got that promise from the Liberals'. But, no, we see that they are not even holding the deputy leadership position. We see that they have not learnt in so many areas. We see it in the speeches by both the Leader and Deputy Leader of The Nationals. Today, if we look through *Hansard*, we see that they said that the Kennett government did great things for regional Victoria, and we know that is not the case. The overall view of the people of Victoria and the overall record shows that that was not the case. The Nationals have learnt nothing. They have rolled over again to the Liberals in going into coalition. People will remember that they rolled over during those seven years of the Kennett government, and that is exactly what is going to happen again.

Only Labor under the Brumby government is representing regional Victoria. We will continue to represent regional Victoria proudly, and the people of regional Victoria will see they have gained so much under the Bracks government and more recently the Brumby government. I commend this matter of public importance to the house.

STATEMENTS ON REPORTS

Public Accounts and Estimates Committee: report 2006–07

Ms ASHER (Brighton) — I wish to make some comments on the Public Accounts and Estimates Committee (PAEC) annual report for 2006–07. In particular I refer to the section on page 23 which deals with the committee's report no. 71, *Private Investment in Public Infrastructure*. This report on public-private partnerships (PPPs) was tabled in 2006 just prior to the last state election, so in my opinion it was not subject to sufficient scrutiny by the Parliament. The committee

made 20 recommendations, and again I congratulate members of the old PAEC on their guts in making recommendations against the government. The recommendations relate to independent analysis of long-term peppercorn leases, and they were opposed to them. They relate also to how contracts should be disclosed.

I refer in particular to page 24 of this annual report and to a number of elements of the committee's recommendations. First of all the committee recommended that time frames should be reduced because it thought there would be debt payable by future governments. In particular there were a number of recommendations which I think the government should adopt. Firstly, the committee recommended that:

The Victorian government:

- improve opportunities for parliamentary oversight of public-private partnership financial arrangements and commitments.

Then it called for briefing of the PAEC on the details of these financial arrangements and for the Auditor-General to undertake performance audits of these PPPs.

However, we know what the government thinks of these recommendations because at page 25 there is a chart in table 5, which clearly indicates that the government has not accepted 50 per cent of the committee's 20 recommendations. The government agreed to 40 per cent, and they were put into place, but I want to highlight the fact that in the main the government rejected outright 20 per cent of the committee's recommendations, agreed only in part to 20 per cent and agreed in part to and put in place 10 per cent.

We have here an extraordinary shift in the relationship between the government and the Public Accounts and Estimates Committee. Previously, given there are representatives from all parties on the committee, governments of both persuasions often picked up the recommendations of this committee, but now, in relation to PPPs, which is one of the government's vulnerabilities, 50 per cent of the recommendations of this committee have not been accepted by government.

I reiterate that I think it is an excellent recommendation to improve parliamentary oversight of these PPPs, particularly in relation to financial commitments and whether the public is getting good value for money. I am a member of the Liberal Party; I am completely relaxed about the use of the private sector. The issue for us, as was recognised in this report tabled in 2006 by

the PAEC, when the majority of the members of the committee were from the Labor Party, is that the Labor Party needs to be more transparent in its reporting to Parliament on PPPs.

It is no wonder the committee made that recommendation. I want to refer to the Enviro Altona wastewater treatment plant PPP in particular, where the contract was not available publicly, in contradistinction to what is recommended by the PAEC in this report, which is covered in detail in the PAEC annual report. I wish to refer to the Partnerships Victoria website, which made the announcement that:

This project is no longer progressing as a Partnerships Victoria contract due to the insolvency of the private contractor.

I guess there has been reasonable scrutiny by the media of the Southern Cross project, which is bad value for money for taxpayers.

The Enviro Altona project is a project where the private contractor has become insolvent. This PPP project is a perfect example for the Parliament and the Public Accounts and Estimates Committee to use to scrutinise the level of due diligence exercised by this Labor government. This is extraordinary. The PPP on the Enviro Altona wastewater treatment plant collapsed. The local member, who happens to be the Minister for Public Transport, who is at the table, may cast some more light on this, but this is a clear case where the Parliament should be involved in scrutiny.

Economic Development and Infrastructure Committee: mandatory ethanol and biofuels targets in Victoria

Ms CAMPBELL (Pascoe Vale) — I rise to speak on the Economic Development and Infrastructure Committee report of its inquiry into mandatory ethanol and biofuels targets in Victoria, which was tabled during the last sitting week. I had the pleasure of chairing that committee, and I want to place on record the appreciation of the committee to the staff involved — Vaughn Koops and Yuki Simmonds — and thank the members of the committee for their diligence and cooperative spirit in compiling this report. I am always pleased to table in this house a unanimous report, and this is a unanimous report of our committee.

The committee's report contains 27 recommendations, and we believe those recommendations outline an appropriate way forward for the development of the biofuels and alternate fuels industry in Victoria. The absolutely crucial recommendation of the committee is that the Victorian government not introduce mandatory

targets for biofuels use at this time. I must admit that I think many of us went into that inquiry thinking we would be supporting such a mandate, but on the evidence — —

An honourable member — Hear, hear!

Ms CAMPBELL — I hear a member saying, ‘Hear, hear’. On the evidence, which was utterly compelling, we decided otherwise. We came out quite clearly against a target at this time. For all of us it was an absolute pleasure to hear the range of submissions that were provided, and we all had our own personal education on biofuels and were well and truly briefed.

While biofuels are viewed by many as a solution to our declining petroleum fuel supplies, we believe that at this stage the weight of evidence indicates quite strongly that there is potential for the costs associated with the introduction of a biofuels mandate to exceed the overall benefits. This house might be interested to know that we looked at limited feedstock. If feedstock were used for biofuels, it would place upward pressure on feedstock and food prices. That was quite useful in informing our decision.

We also learnt, interestingly enough, about the great asset we have in Australia, and particularly Victoria, of our gas supplies. Many of us automatically think of fuels for engines in terms of petroleum, but through this inquiry we learnt of the benefits in terms of balance of payments, fuel security and environmental benefits of Australia tapping into its vast supplies of gas. The committee’s report noted that with the enormous potential for fuels derived from natural gas, such as CNG (compressed natural gas), liquefied natural gas and liquefied petroleum gas, there is a significant opportunity to contribute to Australia’s fuel mix using those very gases.

I highlight to this house that Victoria has access to considerable reserves of natural gas, and I am sure that we as a Parliament and within our party forums will be picking up the fact that usage within the transport system of our rich reserves of natural gas will be an economic boon to this state as well as having environmental benefits. The committee also recommended that the Victorian government examine the merits of expanding the compressed natural gas industry in Victoria. I suggest to members who are interested in biofuels that it is worth reading the transcripts. In the evidence provided by one of our CNG businesses here in Victoria it was outlined that that business could operate very successfully within this state using CNG. The suggestion was put to us that

with more fuel suppliers spread throughout the state, others could pick up on this very important initiative.

Economic Development and Infrastructure Committee: mandatory ethanol and biofuels targets in Victoria

Mr CRISP (Mildura) — I rise to speak on the Economic Development and Infrastructure Committee report of its inquiry into mandatory ethanol and biofuels targets in Victoria. I acknowledge my fellow committee members, including the chair and the member for Footscray, who are present in the chamber and assisted in this. I also acknowledge the hard work of the staff, Dr Vaughn Koops and Ms Yuki Simmonds, who put together the data and draft report.

I am going to focus principally upon one section of the report that I think needs urgent attention by government — that is, chapter 9.5 on pages 170–1, which is to do with research and development and leads to recommendation 23. As has previously been reported to this chamber, we have not mandated the use of biofuels in our fuel mix. I believe that is principally because we cannot take the food out of the mouths of hungry persons to burn it in our cars; that would not be ethically correct. However, we have not given up on the need for biofuels to be part of the extension of hydrocarbon oil supplies for Australia.

What we need to do is go to what are called second-generation biofuels. We need to go past the food and go to the next generation, and I hope the terminology will become familiar to Victorians over the next decade. *Jatropha*, an inedible oilseed, is a very good performer elsewhere in the world. Similarly we have excellent opportunities in eucalyptus oil, although to be humorous, what we are really requiring our scientists to do is create the world’s biggest koala guts, because that seems to be the only way you can turn eucalyptus into something that you can burn for the good of humanity. We need to make that jump, so we need research and development. We have to task our scientists to go past where we are now without taking one of those intermediate steps.

It is clear from some of the evidence given during the inquiry that there are some promising energy technologies that need to be evaluated for Victoria. The committee found that there is potential for the future development of the biodiesel industry through the exploration of new and emerging feedstocks. We can do this, but we have to give it the resources and the priority.

In recommendation 23 the committee proposes that the Victorian government goes to its federal colleagues, through the relevant ministerial council, and seek to place on the agenda for consideration the development of a nationally coordinated research program to examine feedstocks and biodiesel production technologies for application in the Australian biodiesel industry. This is critically important. Biodiesel is the first cab off the rank for biofuels and has huge potential. We cannot afford to spend six months waiting for a report. We need a response from the government in a far shorter time to get this recommendation up. Let us use the spirit of cooperative federalism we have heard so much about in this chamber to have that task tested, to focus our federal colleagues and get some research under way in Victoria. We have some excellent research facilities and some excellent prospects. What they require is priority and funding.

With the cooperative federalism which is supposedly in place, let us get the government response out now. Let us take a positive step and get it on the table with our federal colleagues, and test their commitment to extending the Australian fuel mix so that we will have a future beyond peak oil which will maintain our standard of living, our exports and our food supplies. Let us test our federal colleagues to see if they are committed to the future in the same way Victoria is committed to its future. We need to put our scientists to work and get this up and rolling before it is too late. We are past peak oil in Australia. We can fill up the gaps with natural gas, but a biofuels industry, rural focused, can deliver enormous benefits.

Today we have seen the release by the Auditor-General of a report on agricultural research investment, which examines commercialisation and what we need to do succeed with our agricultural research. We have the capacity there, and the Auditor-General has identified that. He has shown that there has been a 3 per cent growth in agriculture. We can maintain that growth into the future for our rural communities by taking this vital step into a biofuels future for country Victoria.

**Economic Development and Infrastructure
Committee: mandatory ethanol and biofuels
targets in Victoria**

Ms THOMSON (Footscray) — I would also like to acknowledge my parliamentary colleagues in the chamber — the member for Mildura and the committee chair, the member for Pascoe Vale — and speak on the report of the inquiry into mandatory ethanol and biofuels targets in Victoria. I would also like to thank the committee staff: Dr Vaughn Koops, the executive

officer; Ms Yuki Simmonds and Ms Shanthi Wickramasurya.

This was a most interesting inquiry. A few of the committee members went into it with some notions as to what might come out of the inquiry. We were surprised by what we discovered through the submission process and the research that was done about where the future may lie in biofuels for Victoria, and where it may lie as an economic opportunity for Victorian companies to pick up and run with. There are 27 recommendations in the report. I urge members of the house to take the opportunity to have a look at the report because it contains some interesting information.

The member for Mildura mentioned research and development. We all agreed that this was crucial: that you could not use feedstocks which could be used for food but which would be priced out of use for food production because of the greater demand for them to be used for fuel. But there are other issues around the reason we thought it was important to look at research and development. There is work being done now in research and development of alternative feedstocks.

One project that impressed members of the committee, which has not been mentioned at length today, is the research into algae. Smorgon Fuel is undertaking research into developing certain strains of algae for the production of biodiesel and its use as a fuel. A number of us visited the facility, and we think this research has great merit and great opportunities. Every assistance should be given to those innovative companies who are helping in the production of fuels for the future.

Another issue that was raised during the inquiry was just how far ahead Europe is in not only its biodiesel and biofuels production, but also in the automotive industry, which is an industry of vital importance to Victoria. The multifuelled engines that are now coming out of Europe allow for a swap between fuels, and I think they pose the question as to the direction of our auto industry in the future. Can we be part of that innovation in the alternative development of engines to use alternative fuels? We need to encourage and to promote it.

There are a number of recommendations that I think are very important. One seeks to encourage major oil companies to look at having shared biodiesel blending facilities to encourage the use of biodiesel. We felt that this was the most easily adaptable fuel to get out on the basis of supply and demand. Another seeks to encourage some of our public transport companies to use biodiesel, at least as a percentage of the diesel that they use to run their bus services. It is important that we

have a proper Australian standard set for biofuel blends that can be met and monitored to ensure that the community feels confident that the biofuels they are using will not damage their cars. We think it is time to change the standards of cars that are available in Australia to complement biodiesel fuels. Hybrid cars using diesel and electricity are the most environmentally friendly available to us.

I recommend that members have a look at the report. I am looking forward to the government's response in relation to this inquiry. I thought it was a really worthwhile inquiry to undertake. It has economic advantages for Victoria and certainly some environmental ones for us to look at, take on board and to implement.

**Public Accounts and Estimates Committee:
budget estimates 2007–08 (part 3)**

Mr WELLS (Scoresby) — I rise to join the statements on committee reports. I wish to speak on part 3 of the Public Accounts and Estimates Committee's report on the 2007–08 budget estimates. There are a couple of points I would like to make before I go to the report. The process in regard to this report started in May and June last year. It involved the ministers coming before the public accounts committee and speaking on the forward estimates. The opposition made the point that we would have preferred the ministers to speak on public accounts as well as the forward estimates, but the government used its numbers effectively and ensured ministers spoke only about the forward estimates.

The process will start again in May and June this year. It is important that the process is open, transparent and rigorous. If it is not, then the Public Accounts and Estimates Committee will lack credibility. Furthermore, it is important that the government members do not use their numbers on the committee to write reports which probably do not reflect that the process has been other than open, transparent and accountable. With the situation we had last year with regard to the process the opposition parties had no choice but to write a minority report to make sure that our views were stipulated.

I would like to refer to one part of the report, which is on page 143. It refers to freight transportation to and from ports by rail. The reason I would like to refer to this is that the Minister for Public Transport, who unfortunately has just left the chamber, also referred to this particular issue. The committee found that there has been a downward trend in use of freight transportation to and from ports by rail since 2001–02:

due to seasonal conditions and economic factors,

but —

the government is committed to retaining and working towards its rail freight target of 30 per cent by 2010 by upgrading Victoria's rail freight network.

It is interesting that this report did not mention — and this is why the opposition parties did a minority report — that the government promised rail standardisation worth \$96 million back in 2001–02. As we have found out, not a sleeper has been laid or a spike driven. This is an important point: the government's 30 per cent target for rail freight is set as a proportion. Therefore, changing the mode of transport from road freight to rail freight is not volume dependent. The problem is that the government has not been able to attract any new business from rail to road and of course is attempting to put that blame everywhere else. There are some important points there. The government has reneged, again, on rail standardisation worth \$96 million. It is blaming everyone else and everything else for its not being able to attract road freight onto rail freight.

As the member for Lowan points out, when you have more trucks on the road, you have more dangerous roads — and you have more congestion in the city. The reason the government would have put this policy up in the first place would have been to ensure there was less congestion and that the roads in country Victoria were safer.

It was interesting that the Minister for Public Transport said this yesterday:

We have had a very severe drought, and that has meant lower grain harvests. It has also meant less exports, and it means less rail freight.

That is not the promise that the government made. It is not volume based. What it has promised is to ensure that 30 per cent of all freight is carried as rail freight. It does not matter if there is a drought or severe weather conditions, if you have that commitment of 30 per cent of all freight being on rail and you are not making it, then maybe you need to go back and look at what promises you made and try to make it more efficient so people will want to use rail freight. The government should have stuck to its promise. If it had, then I am sure more rail freight would be being used. I am sure we will be looking at this closely in our next report.

Economic Development and Infrastructure Committee: mandatory ethanol and biofuels targets in Victoria

Mr SEITZ (Keilor) — I rise to speak on the inquiry into mandatory ethanol and biofuels targets in Victoria by the Economic Development and Infrastructure Committee. It gave me great pleasure to read the report, because I was on the Environment and Natural Resources Committee in the last Parliament and we prepared a synopsis report on this issue. Due to the election we did not have sufficient time to go into detail, so it pleases me that this subject has been picked up again and the committee has done an in-depth study of it. I commend the committee for the work it has produced. The report is very easy to read, in particular when one looks at the front part and what the committee calls the executive summary where it sums up the chapters in the body of the report. It makes easy reading, and I recommend that members of this house read it and that members of the broader community have access to it and read it.

Our fuel consumption is a problem. We are dependent on fuel to move our freight, to move our food around. We have been brought up with and are used to having bananas and oranges regardless of whether they are in or out of season in this state. We want everything fresh and delivered, and most of this sort of transport is done on the roads using diesel fuels. On those long-haul trips by semitrailers biofuels would be an excellent way of reducing our reliance on the natural minerals we are using. They are a finite product, and we are looking at oil. Some people argue that we have already reached peak oil consumption and that in future oil prices will be going up because it will become more and more expensive to recover the oil and turn it into petrol.

It also creates an industry, as the committee observed. It can create an industry in different regional areas, not only in Victoria but all over Australia, with smaller plants in regions producing ethanol in quantities to be used in that area. However, this is dependent on the consumer. I note that the committee said the industry should be encouraged to produce ethanol, but it is driven by consumers. Until consumers demand from the oil companies an ethanol-petrol blend that is as conveniently available at the bowser as petrol is, it will not happen. The oil companies will not encourage that; they will steadfastly delay changing their equipment at the pumps and also the blending facilities in their refineries for such fuels because of the expense. Therefore I say it is important that this report be taken up by the media, because we need to get the message across to the public that uses the fuel. As we know, it is

only the turnover, the volume, that drives the suppliers to provide the fuel that the community demands.

However, ethanol blends are beneficial to us as a community, particularly when we are looking at our environment and climate change. There is less pollution if we have ethanol in our fuel rather than unleaded petrol, in particular. There are some disadvantages in creating different gases coming from the exhaust system that can lead to foggy days at different times of the year, but all in all there is an advantage in using it.

The Environment and Natural Resources Committee had a quick glance at the situation and prepared an interim report in the last Parliament. I think this report goes a long way. It is an in-depth study. It shows the various plants that are producing biofuels. One of the things that concerns me is that about five of them have been put on hold rather than the projects actually going ahead and plants being built to produce biofuels. That is of some concern to me. We need to keep up the production and build the plants, because it does not happen in 5 minutes. It takes quite some time to build these plants, and government needs to be encouraged to provide companies with funds for research to develop biofuels from sources other than from cereal crops.

PARLIAMENTARY COMMITTEES

Reporting dates

Ms NEVILLE (Minister for Mental Health) — I move:

- (1) That the resolution of the house of 1 March 2007 providing that the Education and Training Committee be required to present its report on the inquiry into effective strategies for teacher professional learning to the Parliament no later than 1 March 2008 be amended so far as to require the report to be presented to the Parliament no later than 31 December 2008.
- (2) That the resolution of the house of 1 March 2007 providing that the Family and Community Development Committee be required to present its report on the inquiry into the involvement of small and medium size businesses into corporate social responsibility to the Parliament no later than 1 March 2008 be amended so far as to require the report to be presented to the Parliament no later than 1 June 2008.

Ms WOOLDRIDGE (Doncaster) — It gives me much pleasure to speak on this notice of motion — —

Ms Neville — On a point of order, Acting Speaker, is the member speaking on the first part of the notice of motion, on education and training?

Ms WOOLDRIDGE — And on the extension of the time for the Family and Community Development Committee — absolutely.

It gives me pleasure to speak to the motion, and I will do so only briefly. I want to speak to this motion because it reflects the opinion the government has of the all-party committee system. The Family and Community Development Committee has been looking at the issue of corporate social responsibility. It is an important topic where a lot of initiative has been happening across the business community as well as across the non-profit community, and it has also been a topic that has been strongly supported by the Howard government through its business community partnerships.

The topic we are looking at, which is initiatives in relation to small and medium-size business, was the subject of a series of seminars that the federal government held across the country last year and where a lot of work is being done. I have to say that the topic of corporate social responsibility is not the critical issue for families in Victoria, and it is not the critical issue for community development. We could be looking at important issues such as supported accommodation, which we will discuss further. We could be looking at important issues such as family violence, such as the increasing pockets of poverty across our city and country areas, and issues such as early intervention in cases of mental illness in young people.

In terms of community development issues, we could be looking at how the government engages with communities or how communities can reduce the impact of social isolation that many of the elderly feel. Instead the reference from the government was for corporate social responsibilities of small and medium-size businesses — not an issue of concern and not an issue that is going to have an impact for families and our communities.

This committee has not had a meeting since 20 August. It is over six months since this committee has met. There has been no commitment from members to this work. It is the government's own reference. It cannot even get its own members to turn up so that there is a quorum to proceed with the work of this committee. The recommendations are exceptionally thin and the impact of this reference, as I have said, is going to be exceptionally low on the lives of families across Victoria.

We are supporting this motion, but I thought it was important to place on the record that this work could easily have been done in the time that the committee

was allowed under this reference, and I challenge the government to not continue to hide behind barely relevant references and low priority references to make sure that the committees in the work they are undertaking, which takes a substantial amount of time for members across the Parliament, tackle the hard issues for Victorian families.

Mrs POWELL (Shepparton) — As the deputy chair of the Family and Community Development Committee, I would also like to make some comments. As the member for Doncaster said, it was very strange for us to receive a reference for an inquiry on the corporate social responsibility of small and medium businesses. One of the reasons is that we do not believe it is an inquiry where we can determine what our recommendations are going to be. We have just received some draft recommendations. We are going to go through those almost at the end of our inquiry, but again we have so many other inquiries that I think are vitally important to families and communities in Victoria.

We have been grappling with what corporate social responsibility is, and I know most committee members have different ideas of what the attitudes are to social responsibilities. It is going to be very difficult for us to find recommendations that we believe are going to be appropriate, because at the end of the day social responsibility could be a marketing tool that many organisations use, and I think it is important that many organisations do use it. I think it is also really important that that committee uses its time more wisely. As the member for Doncaster said, we have not met since 20 August. A number of times I have come down from Shepparton — it is a 2½-hour drive — and have been told, sometimes on the way, that a committee meeting has been cancelled because we cannot get a quorum. It is very important that if government members commit to being on committees — and the majority of members on the committee are government members — they make sure they are available.

I would like to say, while I do not disapprove of this motion, I think we need to be looking at finding worthwhile references, and I know we are going to talk about a reference later on that could be given to this committee which is very important to families.

Ms MUNT (Mordialloc) — I would like to say that it is very important for the Family and Community Development Committee to be required to present its report.

Corporate responsibility in relation to social responsibility is a very important area. In my previous

life, before I came into Parliament, I was part of the business world, as is my husband at the moment, and business in general views its responsibilities to the community very seriously. There is a large amount of corporate involvement in social responsibility in Victoria. It is absolutely to be encouraged, so I believe that this is a very important area for the Parliament to investigate, particularly for the parliamentary committees.

I have listened to the arguments that have been put to the house, and I beg to disagree. It is a cogent argument that the members have put, but I take a different point of view. I would just like to put that different point of view here today.

Mr KOTSIRAS (Bulleen) — I wish to briefly respond to this motion, especially in relation to the changing of the date for the tabling of the report on the inquiry into effective strategies for teacher professional learning to the Parliament from 1 March 2008 to 31 December 2008.

The main reason why this has occurred is because there is no money for committees. We in the education committee — and this is from both sides — have \$5000 left for two inquiries until the end of June. One of the inquiries is looking into student participation in regional Victoria, yet we cannot leave the Parliament to speak to students outside of this Parliament because we have only \$5000 for the two inquiries. Therefore it was essential to move the date from 1 March to 31 December. I think it is important that all the chairs of all the committees take these issues to the Speaker to the President and to the minister to make sure that all committees have sufficient funds to ensure that inquiries are detailed and members are able to carry out their duties, otherwise it will turn into a farce and be an insult to Victorians.

Mr LANGUILLER (Derrimut) — I rise in support of motion 1. I think it is important to state how important the work of committees is because they make provision for a range of views to be submitted in detail and to be considered. They certainly represent the views of the community, and they make a very significant contribution to the work that the Parliament does. As a member of the Scrutiny of Acts and Regulations Committee I know that that committee, as does every other committee, performs a very significant support role which complements the work the Parliament does.

This very good motion provides that the Education and Training Committee be required to present its report on the inquiry into effective strategies for teacher

professional learning to the Parliament at a later time than the time originally set down. I compliment the committee on the work it does and the fact that I understand it has extensive debates. I am not a member of that committee, but I understand it is a very robust committee and that all its members make a good contribution. They work hard and do a good job. They argue very hard. It is a good committee, and it is well chaired. I am happy to put that on the record. The committee represents the community, and I think it is terrific that we have discussion which complements the work of Parliament. Good work, Acting Speaker, and good work on the part of the committee. I commend the motion.

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

Business interrupted pursuant to standing orders.

DISTINGUISHED VISITOR

The SPEAKER — Order! I acknowledge the presence in the gallery today of the Deputy Speaker of the Eastern Cape Provincial Legislature, Gloria Barry. Welcome.

QUESTIONS WITHOUT NOTICE

Office of Police Integrity: role

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer the Premier to continuing allegations of corruption in Victoria and revelations today of the government's secret plans to make the Office of Police Integrity above the law, and I ask: will the Premier now explain why Victoria should not be subject to the same standards of accountability as other states which have independent, broadbased anticorruption bodies which can and do investigate both police and public sector corruption and which are accountable to Parliament?

Mr BRUMBY (Premier) — I thank the Leader of the Opposition for his question and remind him that the government's policy in relation to this matter, which is to support an independent Ombudsman and an independent OPI (Office of Police Integrity), is exactly the same policy as the opposition took to the last election.

In the statement of legislative intent which I released in this Parliament just three weeks ago I indicated, on page 22 of the document in fact, that the government would be introducing a police integrity bill. I said:

Secondly, the Office of Police Integrity will be re-established under its own stand-alone legislation. The police integrity bill will cement the role of the Office of Police Integrity ... as the pre-eminent police anticorruption tool for Victoria.

I further said:

It will ensure the OPI has the powers it needs to continue bringing police corruption to light.

Here we are — here is the secret!

I indicated last year that we would be splitting the dual role of the OPI and Ombudsman into two separate statutory offices. I further indicated in this place three weeks ago in the statement of government intent — to which all members have access and which all members are entitled to debate — that it was our intention this year to introduce a new police integrity bill. Of course there will be a range of views put to the government about the powers the OPI should have, and those views will of course be considered by the government. After they have been considered by the government a bill will be introduced to this Parliament. Every member of this house will then have the opportunity — —

Mr K. Smith interjected.

The SPEAKER — Order! I suggest to the member for Bass that he cease interjecting in that manner.

Honourable members interjecting.

Dr Napthine — On a point of order, Speaker, one of the members on the other side, who shall remain nameless, interjected and said 'take his medication'. I think that is an offensive attack on people with mental health issues. It is an issue that has been raised in this Parliament many times before. It was an absolutely inappropriate interjection, and I suggest that the member be counselled not to use that comment again.

The SPEAKER — Order! While I am sympathetic to the comments that the member for South-West Coast has made, I did not hear the interjection and cannot uphold the point of order.

Mr BRUMBY — That is the process which any government follows in the development of a bill: we get a range of views, we consider those views and then we introduce the bill to the Parliament and the Parliament itself will debate and then decide upon that legislation.

Mr Baillieu — On a point of order, Speaker, the Premier is debating the question again and not answering the question. The question was: why should Victoria be different to the other states?

The SPEAKER — Order! My memory of the question was that in fact it was quite long and detailed and outlined a number of various comments. I believe that the Premier is being relevant to the question that was asked. I will continue to hear him. I do not uphold the point of order.

Mr BRUMBY — On this issue, as I said, you will get a range of views. This morning on the radio I heard one view, and this view was:

I would suggest that David Jones's —

that is, the SIM (special investigations monitor) —

powers should be increased.

That same view is put by the same person and the same party who, at the last election, promised to abolish the SIM, so you will get a range of views. On this side we have been very clear about the need for a properly resourced Office of Police Integrity. I remind the house of the conflicting statements that have come from those opposite and the success of the OPI to date — far more successful than any royal commission this state has ever had.

In contrast to the very clear direction that we have got in this state on tackling police corruption, the opposition at the last election promised to cut funding to the OPI and to the SIM.

Water: Victorian plan

Mr HOWARD (Ballarat East) — My question is to the Premier. I refer the Premier to his commitment to make Victoria the best place to live work and raise a family, and I ask: can the Premier update the house on progress in securing Victoria's water supplies?

Mr BRUMBY (Premier) — This morning, with the Minister for Water and the chair of Melbourne Water, Cheryl Batagol, I visited the eastern treatment plant to inspect the progress which is occurring there in relation to water recycling. While I was there I was able to make an announcement that I am sure all members of this house would be proud of and which is another achievement of our government.

In 2001–02 we set a target for the recycling of water in Melbourne. That target was that by 2010 we would be recycling 20 per cent of all of Melbourne's water use. I was delighted to be able to say today at the eastern treatment plant that we have now achieved that target two years ahead of schedule and are now recycling 22 per cent of Melbourne's water. You would have thought the opposition would have been proud of the fact that we have achieved that target in water recycling

ahead of schedule, because that is a good thing. It is a good thing to recycle more water. This means more water is available for industry, more water is available for agriculture and more water is available for new housing estates through third-pipe investment. This is a good thing, which I would have thought the opposition would have supported.

We have got a clear water plan for our state. It is about saving water, it is about recycling water and it is about creating new water. I do not know about the plans of those opposite. The only plan I am aware of is their plan to put a dam on the Mitchell River, which is a heritage river. That is the coalition policy.

The SPEAKER — Order! I believe the Premier is debating the question.

Honourable members interjecting.

An honourable member — Is that urban water on the Mitchell or country water?

Mr BRUMBY — I am not sure — is that urban or country?

Honourable members interjecting.

The SPEAKER — Order! I remind government members that question time should not be held up to ridicule.

Mr BRUMBY — I am proud of the fact that we have achieved recycling of 22 per cent. I am advised today by Melbourne Water that in 1998–99 recycling volumes achieved by the metropolitan water authorities were as low as 2 per cent. We are on 20 per cent plus today compared with 2 per cent back in 1998–99.

Today the Minister for Water and I inspected some of the new technology that is being trialled at the eastern treatment plant. We saw some examples of class A water there — water which is treated to class A standard with ozone and chlorine treatment. That plant will produce more than 100 billion litres by 2012, and the results from some of the trials there are truly astounding in terms of the quality of water which is being produced. This is a good news story for our state. It confirms the fact that our water plan in this state is working and that we are achieving our targets. The target we had for 2010 has now been achieved two years ahead of schedule.

VicRoads: licensing database

Mr MULDER (Polwarth) — My question is to the Premier. I refer to the continuing allegations of

corruption in Victoria and the Ombudsman's damning December 2007 findings that VicRoads have failed to protect Victorians' personal details because organised crime figures such as Tony Mokbel have penetrated the licensing database, and I ask: why did the government do nothing about the integrity of the licensing system before the Ombudsman's report was tabled?

Mr BRUMBY (Premier) — My recollection — I will check *Hansard* — is that I was asked about these matters at the time of the Ombudsman's report and that I said at the time that they were serious conclusions that had been drawn by the Ombudsman, that they were rightly a matter of concern to the government and that they would be acted on without delay. I understand that the Minister for Roads and Ports is taking action with VicRoads to address those recommendations.

Solar energy: north-western Victorian plant

Ms LOBATO (Gembrook) — My question is to the Minister for Energy and Resources. I refer to the fact that the Garnaut interim report released last week says that new technology will play a substantial role in mitigation of an adaptation to climate change, and I ask: can the minister outline for the house what steps the Brumby government has undertaken and is undertaking to encourage Victorian innovation in energy technologies to combat dangerous climate change?

Mr BATCHELOR (Minister for Energy and Resources) — I thank the member for Gembrook for her question. On Monday I joined the Premier as he announced the go-ahead for the Solar Systems and TRUenergy partnership to build the world's largest solar power station, a power plant to be built in north-western Victoria. This solar power station project, which is worth some \$420 million, will provide enough power for 45 000 homes and is exactly the sort of innovative technology that Professor Garnaut talks about in his report.

It is worth asking the questions: how did this come about, and why will it be located here in Victoria? It was the Labor government here in Victoria that contributed funding of some \$50 million to this project through our energy technology innovation strategy. Indeed we have provided more than \$180 million to a range of projects which deliver innovation and are designed to fast-track the move to a low carbon energy sector. Indeed we have not only provided funding but we have also provided the suitable investment climate for Solar Systems to enter into this \$290 million partnership with TRUenergy to build the world's largest solar power plant.

As well as direct funding, the Victorian government has provided the Victorian renewal energy target (VRET), the right regulatory framework, which has enabled this scheme to be secured for Victoria. VRET has enabled this investment to be brought forward. It is because of the regulatory framework that this investment will be made in clean energy.

You can read what the managing director of Solar Systems has been quoted as saying in the *Age*. Mr Dave Holland is reported as saying:

The VRET scheme — —

Mr Baillieu interjected.

Mr BATCHELOR — I have been asked by the Leader of the Opposition when he said it, and that is a very impertinent question — —

The SPEAKER — Order! The minister knows better than to respond to interjections. I ask the Leader of the Opposition to cease interjecting.

Mr BATCHELOR — It was impertinent, but it is more important. The quote is shown in the *Age* online as being on 25 October 2006. Mr Holland has been a strong and long supporter of VRET. Dave Holland said:

The VRET scheme is a key ingredient in the economics of the project.

He then went on to say:

If VRET was to be shut down, we would have some serious discussion with the government of the day.

You can see that Mr Holland has been a very strong supporter right from the very beginning of the VRET scheme. In fact — —

Mr Baillieu interjected.

Mr BATCHELOR — The Leader of the Opposition has just reminded me about this. It is interesting to recall when the VRET bill was debated in the house in 2006 who were those in this Parliament who opposed this attempt to reduce greenhouse gas emissions and to support this regulatory framework that would bring on clean energy technology such as that of Solar Systems. Of course it was the opposition, led by the member for Box Hill. They said that VRET would be totally ineffective in reducing the level of greenhouse gas emissions and that it would impose a heavy cost burden on jobs and investment. Nothing could be further from the truth. VRET has delivered more than 1300 megawatts of confirmed wind, hydro and solar projects here in Victoria. These will inject up to \$2.5 billion of new investment in the Victorian

economy, and they will create up to 2200 new jobs, leading to more than 27 million tonnes of greenhouse gas abatement by 2030. That is what VRET will do, not only for the environment here in Victoria but also for the economy.

Right from the very beginning it has been clear that the Brumby government has put in place the right framework. It has provided the most appropriate grants and it has provided the most suitable economic and commercial climate for the development of these sorts of projects. That is why the Solar Systems project will go ahead. It will go ahead with the support of the Rudd government, it will go ahead with the support of the Brumby government, but most importantly, it will go ahead here in Victoria, despite the opposition from the coalition. We certainly hope that those coalition members in north-western Victoria stay away from this project and do not oppose it, as they have opposed the VRET scheme.

VicRoads: licensing database

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I ask: will the Premier advise the house when he first became aware of a secret April 2006 cabinet-in-confidence report entitled *Review of the Governance and Effectiveness of VicRoads*?

Mr BRUMBY (Premier) — I think it has been a longstanding practice in this place amongst Premiers and ministers that one does not comment on cabinet documents.

Mr Baillieu — On a point of order, Speaker, the Premier was asked a question about when he became aware of a document. He is required to answer the question, not to run and hide!

The SPEAKER — Order! I do not uphold the point of order. I think on re-reading the question the Leader of the Opposition will realise that in fact what he has tried to repeat is not actually the question he asked.

Mr Ryan — On a further point of order, Speaker, accepting your ruling, of course, the question of discussion of decisions taken by the cabinet, with respect, quite rightly is not something that is ventilated at large in the Parliament. That is the conclusion reached by looking at the rulings from the Chair. This is not a decision of the cabinet about which the Leader of the Opposition has asked. He has simply asked about a document. It is not a cabinet decision; he simply asked about a document. In that regard, in my respectful submission the Premier should answer.

The SPEAKER — Order! I do not uphold the point of order. The Premier has completed his answer.

Honourable members interjecting.

The SPEAKER — Order! I warn the member for South-West Coast.

Police: regional and rural Victoria

Mr TREZISE (Geelong) — My question is to the Minister for Police and Emergency Services, and I ask: can the minister advise the house how the Brumby government is supporting the great work of police in country Victoria in helping to bring down crime and make Victoria the best place to live, work and raise a family?

Mr CAMERON (Minister for Police and Emergency Services) — I thank the member for Geelong for his question. Certainly he will be aware that during the term of the government the number of police in his community has increased by 21 per cent, and there has been a decrease —

Honourable members interjecting.

Mr CAMERON — They have been out there on the streets, decreasing crime in Geelong by 33 per cent.

Honourable members interjecting.

The SPEAKER — Order! I ask the opposition, particularly the member for Bass, to show some respect for the Chair.

Mr CAMERON — Good luck there, Speaker!

Honourable members interjecting.

The SPEAKER — Order!

Mr CAMERON — The government and the community congratulate Victoria Police on the work that police do across country Victoria. Of course since coming to office we have seen more police out there on the beat in country Victoria, as part of the increase of 1400 police across this great state.

Honourable members interjecting.

The SPEAKER — Order! I warn the members for Warrandyte, Bass and Hastings.

Mr CAMERON — That of course is part of the allocation to Victoria Police of a record budget of \$1.6 billion. What we have done is build or rebuild over 140 stations across this great state. We have seen crime

across the state, of course, decrease by 23.5 per cent during the term of the Chief Commissioner of Police, Christine Nixon. As members are aware, there are going to be more police over the life of the Labor government so that by 2010 we will have an additional 1750 police.

In country Victoria we have built or rebuilt 117 stations — 117 out of 149 — and 78 per cent of the new stations that have been built are in country Victoria. That is because this is a government that believes in country Victoria, a government that does not just talk about it, a government that goes out there and builds and delivers in country communities. Not only does that increase the level of morale of police and of local communities, but those great building projects have also obviously stimulated local economies.

An honourable member interjected.

Mr CAMERON — Places like Maryborough, Nhill, Bendigo, Mildura, Tallangatta, Seymour, Mount Hotham, Bairnsdale, Wangaratta, Latrobe — the list goes on.

Honourable members interjecting.

The SPEAKER — Order! I obviously forgot the member for Kew; I warn the member for Kew.

Mr CAMERON — Of course the police, when they go out on the beat, give warnings to miscreants out on the streets, and that has also been extremely effective in country Victoria.

During the last election we had a list of a further nine police stations, with six of those in country Victoria. Again, what we are seeing is a great commitment in country Victoria. We have seen reductions in crime around the state, including in country Victoria. In Ballarat the number of police has increased by 35 per cent and there has been a reduction in crime of 17.9 per cent; in Central Goldfields there has been an increase of 23 per cent in the number of police and a reduction in crime of 47 per cent; in Macedon Ranges, there are 19.5 per cent more police and crime is down 33 per cent; in Benalla, there are 13.5 per cent more police and crime is down 19.9 per cent; and not to forget the electorate of the Independent member for East Gippsland, where with a 9.6 per cent increase in police, crime is down 23.1 per cent.

The government thanks local police for the work they do. The government stands behind them and joins the community in congratulating them, because we know the police in country Victoria are doing a great job.

VicRoads: licensing database

Mr RYAN (Leader of The Nationals) — My question is to the Premier. I refer to the secret April 2006 cabinet-in-confidence report into VicRoads. I further refer to a second document, being a secret cabinet-in-confidence letter from Premier Bracks to the former Minister for Transport dated 3 July 2006, which responds, amongst other things, to the finding that there is an ‘accountability gap in the use of VicRoads driver licensing database in law enforcement’, and I ask: is it not the fact that the government knew for 18 months prior to the tabling of the Ombudsman’s report of December 2007 about issues with the licensing database and failed to disclose this information?

Mr BRUMBY (Premier) — As I indicated a few moments ago, I do not intend to comment on cabinet documents. That is a longstanding tradition and precedent in this place and in other parliaments.

Honourable members interjecting.

The SPEAKER — Order! The member for Eltham is warned.

Mr Baillieu — On a point of order, Speaker, the Premier is debating the question and claiming there is a longstanding position on not speaking about cabinet-in-confidence documents. There is no such position, and I invite you to ask him to return to answering the question.

The SPEAKER — Order! The Premier has just commenced his answer. I am not prepared to uphold the point of order at this time. The Premier, to continue.

Mr BRUMBY — These were matters, as I indicated earlier, which were the subject of a detailed Ombudsman’s report. I indicated at the time of that report that they were serious conclusions and that they would be implemented by the government to address the matters raised by the Ombudsman. I believe that is the appropriate course to take.

Mr Baillieu — On a point of order, Speaker, the Premier was asked a question about documents not from the Ombudsman but from the government. I invite you to ask him to return to answering the question. If he is only going to deal with the Ombudsman’s report, then Victorians will be in the dark forever.

The SPEAKER — Order! The Premier has concluded his answer, and there is no point of order.

Automotive industry: government support

Mr EREN (Lara) — My question is to the Minister for Small Business. Can the minister advise the house what the Victorian government will do to support small automotive supply businesses in this state, particularly to overcome skill shortages, and inform the house of the impact of any alternative policies?

Mr HELPER (Minister for Small Business) — I thank the member for Lara for his question and for his undoubted and undisputed commitment to the automotive industry in his own electorate, in the region and indeed across the state. I remind members of this house of the importance of the automotive industry. It employs about 35 000 people right across Victoria, not only in the major manufacturers but also of course in the supply chain to the automotive industry. It contributes some \$2.8 billion to the gross state product of this state and is a keystone of manufacturing in Victoria. I also point out the importance of the automotive industry and particularly parts suppliers in regional Victoria. We have Aunde Trim in Stawell, FMP in Ballarat, Flexdrive Cables in New Gisborne, AME Systems in Ararat, and of course the importance the member for Lara’s own region of Geelong plays in the automotive industry.

The member asked me what the state government is able to do to work collaboratively with the automotive industry to develop and support it. Late last year I met with executives from Toyota to discuss issues about supply chain improvements it was seeking to make its business more effective and to improve the businesses of suppliers to Toyota. It was a very constructive conversation that resulted in a partnership between Toyota and Department of Innovation, Industry and Regional Development through the Office of Small Business to put together a package which we call C21. It is targeted at 50 component suppliers right across the automotive industry. Obviously they are suppliers to Toyota, but many of those businesses also supply to other manufacturers.

We are putting in place a six-month program that will improve the long-term performance and competitiveness of the industry. We are putting in place, for example, strategic diagnostic business reviews; work force planning reviews — and that of course goes to the core of the question the member for Lara asked in terms of skills formation in the industry; and automotive industry forums so that the supply chain is better integrated with the operation of the automotive manufacturers.

The member for Lara asked me about alternative policies, and I thank him very much for doing so. I looked around the Web the other day and was astounded to come across the Institute of Public Affairs website, which listed a number of press releases. I point out to the house that the chairman of the Institute of Public Affairs is none other than Alan Stockdale, a former Treasurer, whom I congratulate on being recently appointed as the federal president-elect of the Liberal Party. I therefore presume there are quite close linkages between the thought processes that go on in the Liberal Party and Alan Stockdale.

The headline I refer to reads ‘Sector-specific policies a brackish solution to car industry’s woes’. Members of this house would of course be aware of the difficult and challenging times that the automotive industry is going through. The Institute of Public Affairs headed by Alan Stockdale talks of sector-specific policies and a brackish solution to car industry woes. I would view the article that followed as extreme flat-earth economics — a hands-off approach and damn the consequences.

I remind members of the importance of the automotive industry, particularly to regional Victoria, that I outlined before. I remind members that the previous time there was a coalition here in Victoria, none other than Alan Stockdale was Treasurer. Since that coalition on the conservative side dissolved itself —

The SPEAKER — Order! The question clearly asked for the minister to canvass alternative views. While he does so in relation to the Institute of Public Affairs, I will allow him to be heard. I suggest though that he not take the opportunity of question time to attack the opposition.

Mr HELPER — I am happy to follow your guidance, Speaker.

Here we have the Institute of Public Affairs’ extreme flat-earth economists, part of the brains trust of the conservative side of politics, particularly the Liberal Party, developing such great lines as ‘Sector-specific policies a brackish solution to car industry woes’!

If I can draw my response to a conclusion, it is these thought processes and ideas of flat-earth economics that I want to draw attention to. As I said, the last time Alan Stockdale was in a position of public authority was when there was a coalition —

The SPEAKER — Order! I believe I heard the minister say that he was concluding his answer.

Mr HELPER — At a time when we see a re-emerging coalition, it is quite interesting to note that

the thought process that The Nationals are signing up to, The Nationals leader, the Julian McGauran —

The SPEAKER — Order! I will hear the minister no longer.

VicRoads: licensing database

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer the Premier to the secret 2006 cabinet-in-confidence report into VicRoads. I further refer to a third document, being a 27 July 2006 secret cabinet-in-confidence ministerial briefing paper detailing the government’s response and noting that the government would not implement the recommendations to remedy integrity problems with the VicRoads licensing database. I ask: why did the government fail to implement these crucial recommendations further exposing Victorians to organised crime and identity fraud?

Mr BRUMBY (Premier) — I repeat that the institutional body which is charged with oversighting public administration in this state is the Ombudsman, and the Ombudsman reviewed all of these matters. I have confirmed to the house on a number of occasions that the recommendations were strong and clear. They were recommendations of concern to the government, and I indicated at the time of the Ombudsman’s report that the government would implement the recommendations as a matter of urgency.

Mr Ryan — On a point of order, Speaker, the Premier is debating the question. The question is directed to the fact of the government having prior knowledge before the Ombudsman’s report was tabled about the issues upon which that report reflected. That is the point of the question, and I ask you to have the Premier answer it.

The SPEAKER — Order! The Leader of The Nationals is aware of standing orders, and he is aware that answers must be succinct, factual and relevant. I believe the Premier is being relevant to the question, and I will continue to hear him.

Mr Baillieu — On the point of order, Speaker, the Premier’s answer referred to the Ombudsman’s report. The question did not refer to the Ombudsman’s report; the question referred to government-commissioned reports.

Honourable members interjecting.

The SPEAKER — Order! I suggest to the opposition that the respect of this house was shown to the Leader of the Opposition while he made his point of

order and also to the Leader of The Nationals. The same respect will be shown to the Deputy Premier.

Mr Hulls — On the point of order, the Speaker has already ruled that the Premier is being relevant to the question. A point of order is not the time to simply be repeating the question. The Speaker has ruled that the Premier is indeed being relevant, and I suggest that the point of order made by the Leader of the Opposition is absolutely out of order.

The SPEAKER — Order! I have ruled that the Premier is being relevant to the question.

Mr BRUMBY — As I indicated, the government and the Parliament received the Ombudsman's report, and as I also indicated, it will be implemented.

Schools: funding

Ms BEATTIE (Yuroke) — My question is to the Minister for Education. Can the minister advise the house how the Brumby government is delivering Victoria's education infrastructure and how these innovative policies compare with those of other governments?

Ms PIKE (Minister for Education) — I thank the member for Yuroke for her question. The Brumby government is making unprecedented investments in our schools and in our education system as a whole. We are creating modern, innovative teaching spaces and facilities that genuinely reflect the high-quality learning practices that are now taking place in Victorian schools.

It is well known that since 1999 we have invested \$2.3 billion in school capital works, and over the next four years we will be investing a further \$1.9 billion through the Victorian schools plan to rebuild, renovate or extend an additional 500 government schools. The 2007–08 budget saw \$555 million allocated to begin these works on 131 schools.

I was pleased to announce last week that a brand new government school will be built at Craigieburn West, giving the local students there access to high-quality education. This school is one of a number the government is building to provide state-of-the-art education facilities for the growing number of families moving into the Hume region. We have announced that a successful private sector consortium will design, build and manage these facilities. There will be 11 schools overall. These new arrangements will deliver modern schools in our growing suburbs and will allow their principals to concentrate on the great educational programs that are taking place in these schools.

I was also asked to comment on the other kind of policy approaches that have been taken in the history of our state. It is no secret that the previous coalition government, the partnership between the Liberals and The Nationals, had a history of decimation when it came to our education system.

Honourable members interjecting.

The SPEAKER — Order! I will pre-empt the Leader of The Nationals point of order. The minister is debating the question, and I bring her back to answering the question without debate.

Ms PIKE — It is uncomfortable for people to be reminded about 300 schools being closed, many of them in country Victoria, 9000 teachers — —

The SPEAKER — Order! The minister will not debate the question.

Ms PIKE — We have chosen to embark on this policy because we know that it is only this kind of investment in the infrastructure of our public education system and of course the investment in additional teachers — —

Mr K. Smith interjected.

Ms PIKE — I think it was 9000 you sacked.

The SPEAKER — Order! The minister!

Ms PIKE — The investment in additional teachers will be the building plank for a robust public education system. That is our commitment, that is our legacy and that is what we intend to continue to do in the future. Let us hope that we do not see a return to a scenario where under a coalition there is further denigration of the public education system in our community.

The SPEAKER — Order! The time for questions without notice has expired.

Mr Ryan — On a point of order, Speaker, I ask you to provide guidance and a ruling in relation to the issue of the propriety of discussing in question time cabinet decisions on the one hand as opposed to documents which have been before cabinet. The matter I put to you is on the basis that if you go to page 82 of *Rulings from the Chair 1920–2004* under the heading 'Quoting cabinet decisions' and subheading 'Decisions are confidential', you find that it states:

Down the centuries it has always been understood that quotations of decisions of cabinet are not lightly ventilated in public.

That is different from the position which was put during question time today, when three documents were produced in relation to which a series of questions were founded for consideration by the Premier, which the Premier in turn refused to answer, hiding behind the cloak of a cabinet decision as opposed to documents produced for cabinet's consideration. I ask you to rule as to what is the appropriate propriety in the matter for the guidance of the house.

The SPEAKER — Order! I will come back to the chamber with a ruling.

PARLIAMENTARY COMMITTEES

Reporting dates

Debate resumed.

Mr CRISP (Mildura) — I rise to support the motion, particularly part (2), which deals with the extension of time for the committee to report on small and medium businesses and their corporate social responsibilities. This is important work. Country Victoria is changing and family businesses are changing. We have a more corporate country Victoria. Our communities need involvement, and for small and medium businesses this could be a marketing advantage and improve their prestige in country areas. Good corporate citizenship is as important as volunteerism in country areas. I therefore support the motion to allow this committee to continue its work and come up with a comprehensive report.

Motion agreed to.

Inquiry references

Ms NEVILLE (Minister for Mental Health) — I move:

That under s 33 of the Parliamentary Committees Act 2003 the following matters be referred to the joint investigatory committees specified:

- (1) to the Economic Development and Infrastructure Committee — for inquiry, consideration and report no later than 30 June 2009 on the potential application of open source licensing to Victorian government information and, in particular, the committee is asked to:
 - (a) report on the potential economic benefits and costs to Victoria of maximising access to and use of government information for commercial and/or non-commercial purposes, including consideration of:
 - (i) public policy developments elsewhere in Australia and internationally; and

- (ii) the types of information that will provide the greatest potential benefit;

- (b) consider whether use of open-source licensing models, including Creative Commons, would enhance the discovery, access and use of government information;
- (c) report on the use of information and communication technology to support discovery, access and use of government information; and
- (d) identify likely risks, impediments and restrictions to open-source licensing of government information, including impacts on and implications for any existing cost recovery arrangements.

- (2) to the Family and Community Development Committee — for inquiry, consideration and report no later than 30 June 2009 on the provision of supported accommodation for Victorians with a disability and/or mental illness and, in particular, the committee is asked to report on the current situation in Victoria and compare it to best practice in other jurisdictions regarding:

- (a) the standard and range of accommodation currently available;
- (b) the extent of accommodation and services currently available, including the different models for service delivery and funding;
- (c) the methods for measuring unmet demand for accommodation and how these can be improved;
- (d) the process for managing service quality;
- (e) availability of sufficient accommodation to meet future demand with an appropriate range of services;
- (f) access and service issues for particular groups, including rural communities, culturally and linguistically diverse communities and indigenous Australians; and
- (g) the impact on families of the current service provision of accommodation; and

for the purpose of this inquiry 'supported accommodation' means public and private accommodation provided for people with a disability or mental illness who need additional support services but excludes mental health treatment services (SEC, PARC) and the disability forensic program (SFS).

I am very pleased to move this motion and speak in support of it. The one that is before you and the one that I will particularly focus on is the reference to the Family and Community Development Committee to inquire into the provision of supported accommodation for Victorians with a disability or mental illness. This is an issue that touches many families and people with a disability and people living with a mental illness. Because this issue is so critical I am hopeful that this motion will receive bipartisan support. It is a critical

obligation of government and a basic expectation of it that it will ensure that all Victorians have a decent place to live.

The legacy of the Howard government is a high-inflation economy with historic lows for housing affordability. That has magnified the accommodation challenge facing all Victorians but particularly vulnerable Victorians, who might have a mental illness or disability and need high levels of care. The Brumby government believes that all Victorians deserve a decent place to live. That is why, since coming to office in 1999, we have a proud record of achievement in advancing the rights of people with a disability, in particular those living in supported accommodation, both congregate care and group homes. We have done that because when we came to government we faced a sector that was totally neglected and starved of funds by the Kennett coalition government. The sector, like much of Victoria, had suffered under the unfair and heartless efficiency drives of the coalition.

In contrast to the heartless approach of the former coalition government, Labor has acted with the conviction and belief that people with a disability or a mental illness should have the same rights, responsibilities and opportunities to participate in the community as other citizens. That starts with the basic need of housing and an acknowledgement that those Victorians living with disadvantage deserve a helping hand from government. Unlike those opposite, we therefore understand that strategic and coordinated whole-of-government and whole-of-community approaches will realise the most gain.

I want to address the needs of people with a mental illness in my comments today, but first I will speak about Victorians living with a disability. It is our government that has laid the foundation for promoting inclusion and participation for people with a disability across all areas of life, including health, housing and community services, recreation, education, employment, transport, housing and disability support.

I am very proud to stand here today and say that it was this government that recognised the need to reform the laws for people with a disability. Victorians now enjoy the benefit of a current and relevant Disability Act that is based on the principles of human rights. The act reflects the goals stated in the *Victorian State Disability Plan 2002–2012*, through focusing on a whole-of-government, whole-of-community approach to supporting people with a disability. For the first time Victoria now has a disability services commissioner whose role is modelled on the role of the health services commissioner. This requires all disability service

providers to institute and operate a system to receive and resolve complaints with annual reporting to the disability services commissioner.

We have established the Office for Disability and the Victorian Disability Advisory Council, which is well led by Rhonda Galbally. In fact I was very pleased to welcome them here today in the Parliament and to meet with and to talk to them about the issues of participation and social inclusion for people with a disability. Both the council and the Office for Disability are really focused on improving access and participation of people with a disability. They are working hard across a range of issues to promote the rights of people with a disability. The Disability Act also creates the position of a senior practitioner who is responsible for protecting the rights of people who are subject to restrictive interventions and compulsory treatment, and ensuring that appropriate standards in relation to restrictive interventions and compulsory treatment are complied with. This role has extensive powers to set standards and guidelines and to monitor daily disability service providers.

This is because the Brumby government believes in open and transparent reporting to ensure systems are working for Victorians, while also providing independent monitoring to protect people's rights. Of course for some people with a disability, the support provided by family, friends and others on an informal basis will be enough. Others may need funded support that can be provided through local government and the home and community care programs. Yet others may be eligible for funded disability support provided through disability services within the Department of Human Services.

It is important that we have a system which caters to the varying needs of people with complex conditions, and which listens to people with a disability and also their families, ensuring they have a real choice. There is no one-size-fits-all approach. As a result of our consultation and discussions we are providing people with a choice of a range of accommodation linked to funded support. Currently we provide some 8000 people with individual packages of support in varying accommodation models, including public housing for people on low incomes; private rental housing; community managed housing through affordable housing associations or the Disability Housing Trust, which I will come back to later; community housing which may be in self-contained or shared accommodation; and supported residential services which are private businesses that provide accommodation and personal care for people who can no longer live independently at home.

A further significant option for people needing 24-hour support is group home shared supported accommodation or community residential units, usually providing for four to six residents with support by staff day and night. The Brumby government proudly funds 914 community residential units across the state supporting 4650 residents. That is a significant number of Victorians receiving help from the Brumby government.

Of course it is not only the quantity of accommodation that is important but also its quality. We are continuing to maintain and improve the standard of housing with our commitment of \$55.5 million for the strategic refurbishment and replacement program to upgrade and replace existing government-owned shared supported accommodation. Our most recent budget commitment will deliver 51 replacement properties and 9 major refurbishments. Already 33 new houses have been completed, and the remaining 27 projects will be completed this year. This is a demonstration that we have been active in upgrading and modernising supported accommodation facilities right across Victoria and not leaving them to decay.

Members would be aware of our flagship project at Kew where \$86.5 million has been provided to redevelop Kew residential services. To date over 360 people have moved out from the Kew Residential Services, an outdated congregate care facility, and they have moved into 73 purpose-built homes in suburbs across the state where they can share the ordinary experiences of local communities. Also a new residential suburb is being developed on the Kew Residential Services site which will contain 20 community houses for the remaining Kew Residential Services residents.

This is a positive project, a project that was the result of advocacy from those with a disability. It is a progressive step in disability accommodation and a terrific community achievement as well. But of course there is more to be done, because we know it is hard for families and for people living with a disability or a mental illness and we have an obligation to help. That is why we have referred this issue to the Family and Community Development Committee. We want the best possible advice on what works well for families and people with a disability or a mental illness and to look at opportunities to better meet their needs into the future. The government is committed to reviewing the accommodation needs of people with a disability living in congregate care, using a process to identify residents' support needs, interests and broad preferences for future accommodation and support.

Currently we are undertaking significant work at Colanda, a congregate care facility at Colac. Unlike the previous government, which was secretive and failed to consult, we want to involve people in decisions that affect them, which is why our consultation involves residents, families, staff, local community and key stakeholders in determining the best accommodation options available for residents living at Colanda. I had the privilege of recently visiting Colanda and meeting with its residents, families and staff to discuss their needs. I committed to continue to consult and work with them to ensure that we achieve the best interests for the residents who have called Colanda home.

Our government has also assisted the Oakleigh Centre, the MS Society and Willara to redevelop their supported housing from old and outdated large-scale facilities to new homes. In addition, smaller grants amounting to almost \$10 million have been provided across the community sector for equipment and building upgrades. I know those accommodation improvements make a difference to the daily lives of those with a disability. I know because I can see it when I meet with people with a disability living in their homes; I see the difference that it makes.

The government has also focused on those people with a disability who have unique or complex needs. Our government, in responding to that challenge, has, for example, established a new ventilator accommodation service. It is a terrific modern facility which provides respite for 10 people at a time and long-term accommodation for 10 people who cannot live without a ventilator. This project has had a particularly profound impact on the lives of some residents. Some of the residents were previously at Fairfield hospital. One, for example, had lived in the hospital ward for 60 years prior to moving to the new service in 2007. We can only imagine the positive impact on that person and their family of having brand-new accommodation which was custom designed to suit their life.

We have also established a new service for young people with a disability which will enable them to leave residential aged care services. It is a \$60 million joint initiative with the commonwealth government over the next five years. One hundred and forty under-50s who live in residential aged care have participated in individual planning and assessment that has identified their preference to either move from residential aged care into alternative living options or remain in residential aged care with enhanced disability supports. Approximately 70 per cent of participants have expressed a preference to move into alternative living options.

New services are being established to provide more suitable options for those who seek alternative living options. These services will integrate the disability principles of an individualised approach, age-appropriate lifestyle and community inclusion with an equally important focus on clinical care and rehabilitation needs. There are currently five new services being developed which will provide places for 34 people to move into. We expect the first to open this month, allowing six people with acquired brain injury to move out of aged care. Importantly, more services are planned as part of the next phase of service development.

This government is also proud of the Disability Housing Trust. It is a government initiative which delivers on an election commitment, a commitment which we know will make a difference to Victorians with a disability and their families. The housing trust is a non-government charitable trust that has been established to promote and develop new housing options and encourage new investment in housing for people with a disability. We know there is money out there to be leveraged, more investment that can be made in disability accommodation, and we are chasing it. The trust is working in partnership with people with a disability and their families, housing providers and support services, and other interested parties to create new homes for people with a disability and to plan for the development of sustainable housing for future generations. This is partnership and collaboration which was never possible under the previous government.

We know that parents of children with a disability are concerned about what will happen to their children when the parents die. We know that the trust is already making a difference and will continue to do so. The government has invested \$10 million in the trust to develop new housing opportunities for people with disabilities. So far it has been successful in attracting additional capital from a range of sources and in delivering a range of innovative housing for people with a disability.

On another front, my honourable colleague the Minister for Housing is furthering our work with housing associations, which are developing projects in partnership with community service organisations to increase suitable housing options for people with a disability. A number of rental agencies have been established as housing associations or housing providers under our government's strategy for growth in housing for low-income Victorians. The strategy emphasises the forming of strong partnerships between the housing associations and local government, private industry, charitable organisations and community

service organisations to fund affordable housing. Working together is the difference. Disability services, in conjunction with the broader housing sector, is working to expand the range and number of accommodation options available for people with disabilities. This theme of collaboration and innovation underpins our work in this area.

The accommodation innovation grants scheme is an example of innovation at work. More than 140 people with a disability across Victoria are being assisted to find and make a success of living in accommodation of their choice as a result of an initial allocation of money. These grants have enabled 14 organisations to provide long-term and sustainable accommodation support to people with a disability as a positive alternative to the traditional shared supported accommodation model. The support people will receive under the grants is in addition to any other supports that they may need as a result of their disability, such as through HomeFirst or Support and Choice. Grant projects cover both metropolitan and rural regions, because, unlike the coalition, we govern for the whole of the state, and disability does not discriminate based on geography.

We expect people with disabilities to receive high-quality services, because I know from speaking to families that it is not just engagement with services that makes a difference but also the quality of the services that are provided. In response we have initiated the traineeship program for shared supported accommodation staff to qualify in certificate IV in disability work. Since the program's inception in 2002 approximately 1800 staff have undertaken traineeships, and 270 staff have either commenced or completed the above qualification as trainees in the past 12 months.

We know that high-calibre staff are the backbone of the sector and are invaluable to people with a mental illness or disability. I have met many dedicated and professional staff in my travels around the state. My department is actively involved in ensuring the redeveloped community service training package meets the current and future needs of the workforce. We are also developing a leadership learning needs analysis tool that identifies desirable behaviours and skills in the context of day-to-day leadership and management. Importantly, since 2005 approximately 90 per cent of all disability middle and senior-level management staff have undertaken management training.

We have also introduced minimum qualifications for staff in government services and have achieved over 90 per cent success, and we will continue to develop our workforce capacity. This is in stark contrast to the Kennett government, which stripped the training budget

and introduced untrained workers to provide vital services for people with a disability. This was a blatant cost-cutting exercise with no concern for the quality of care being provided to those who rely on assistance and support for their daily living and quality of life.

We have also invested significantly to introduce active support to CRUs (community residential units) across Victoria. Active support provides a different approach to working with CRU residents and encourages the choice and participation of residents in all aspects of their daily living.

There are a range of other practical steps under way to improve service quality. The revision of the *Residential Services Practice Manual* includes significant practice improvements around issues like medications and monitoring change in health status. Our Promoting Better Practice in Shared Supported Accommodation initiative aims to strengthen the capacity of the Department of Human Services to anticipate and respond to critical incidents.

We also have a nutrition and swallowing risk screening tool which has now been operating for over 12 months. Our weight monitor project has been implemented for approximately 12 months in department-managed shared supported accommodation. Our quality framework also focuses on individual outcomes as an explicit focus and reinforces systems and outcomes quality management.

Despite these initiatives we know there is more to be done. And I reiterate that that is why we are asking the Family and Community Development Committee to undertake this important reference. It is appropriate for us to acknowledge the tremendous improvement that has been achieved to date but also to consider how our investment can be strengthened. Overall, since coming to office, this government has increased its investment in disability services, including supported accommodation, by 87 per cent. Again this is in stark contrast to the Kennett government, which imposed a 10 per cent across-the-board funding cut to community services when elected to government.

The current disability services budget provides \$525 million for residential accommodation support. In 2007, to continue to meet what we know is increasing demand, we funded a range of other disability initiatives. There is \$70 million over four years for a range of flexible personal accommodation and support packages for 1300 people with a disability, \$10 million to develop additional supported accommodation models for up to 75 people who need support, \$13 million to expand respite services and an additional \$16 million to

continue the initiative for older people caring for someone with a disability, and \$15 million for the second stage of the Brumby government's program to refurbish or replace non-government sector managed community residential units and equipment.

Of course we know that goes some way to meeting demand but demand continues to increase. I know from my meetings with disability advocates, families and carers that demand for disability services is strong and continues to grow. That is a challenge the committee will have to consider.

Our task in assessing demand is made easier by the fact that this government introduced in Victoria a disability support register (DSR), something that had never been done previously in this state. The disability support register records requests for accommodation, amongst other support requests. The DSR provides a clear and accurate picture of the support that is currently required, so that when resources become available they can be allocated in a fair and efficient manner. Victoria is one of the few jurisdictions that maintains such a register to help planning and service provision. The number of people recorded on the DSR has been relatively stable over recent times, but we know we need to do more to assist people on the register, and I will value the advice of the committee on these matters.

For some people with a disability, whether they are on the register or not, sometimes alternative accommodation is not the need; it is support to remain living at home. Our government provides a range of programs to support people to live in their local communities in the way that they choose. HomeFirst, for example, assists people to continue living in the community by providing them with a range of supports so that they can maintain their independence, keep living in their own homes, move to more independent living arrangements, learn new skills, and participate more fully in their local community.

I should also mention at this point the valuable role that is played by carers. I am sure many members of this house have met some very passionate and committed people who have dedicated their lives to supporting people to live as independently as possible. They are very inspirational people. The Brumby government acknowledges the important role that carers play. Most carers of people with a disability are unpaid family members. Some recent research published in a report by Deakin University, *The Wellbeing of Australians — Carer Health and Wellbeing*, that was released last year, found that carers had the lowest collective wellbeing of any group previously researched. Carers are more likely to experience chronic pain and other

medical or psychological issues than any other group in our society.

As Minister for Mental Health and Minister for Community Services, I am of course concerned about those statistics. In May 2005 a bilateral funding agreement was reached with the commonwealth, providing an additional \$17.4 million over four years for respite support to ageing carers of a person with a disability. This funding is targeted to support carers over the age of 45 years, in the case of indigenous carers, and 65 years for others and is providing an expanded range of respite opportunities.

The commonwealth has recently announced some additional respite funding for older carers through its disability assistance package. I know that respite is a lifeline for many carers and that they could not live without it. We are increasing the number of respite episodes in Victoria by 350, which will be in addition to the 20 000 episodes of respite already available. We are developing a carers reward card and a carers charter and providing funding of \$4 million over four years for education, training and advocacy programs through Carers Victoria.

Our particular focus this year is on supporting the families of young people with high and complex needs. That can mean in-home support, overnight breaks and other flexible respite services.

The message that we have heard from our community and people with a disability and their families and carers is that we need to be able to provide a range of services and supports to meet their needs — whether it is acknowledging the role that carers play through the carers reward card or the provision of respite or further information and advice through things like the centralised respite accommodation service. We have heard this message because this government has been committed to listening to the voice of people with a disability through advocacy services, and this government has provided additional services and funding to advocacy support right across Victoria. Unfortunately, under the previous government, advocacy services in this state were defunded, so the voices of people with a disability — those from an Aboriginal background, those from a migrant background, and young people with a disability — were unable to be heard in this state. This had a devastating effect on people with a disability and on the families involved. Ten years on, the memory and the hurt does linger; people remember just how callous and harsh those times were.

We continue to support people with a disability in all their needs, whether it is through accommodation services or day programs. For example, we provide over 8000 people with access to day programs in this state to help them build their independence and their participation. We continue to invest in aids and equipment to help people live independently in their homes and get around if they need a vehicle modified. That is why we have respite for 14 000 families.

I might add that, similarly, in the area of mental health, this government has invested significantly in improving the outcomes for people with a mental illness. We have invested in treatment and care services, increasing funding by over 80 per cent and treating more patients each year. But we know that meeting the accommodation needs of people with a mental illness is absolutely crucial in assisting their recovery. That is why we are also focusing the proposed inquiry on the accommodation options for people with a mental illness. That is why we continue to explore and expand the range of accommodation and support options that are available for people with a mental illness who have ongoing support needs and limited outcomes.

We have invested in programs such as the Rooming House Plus program, the Mental Health Pathways program and the Integrated Rehabilitation and Recovery Care program, which are all about providing appropriate supports and care for people as they move out of inpatient and treatment care options that are currently available in Victoria. We know these are important programs for people with a mental illness, and we will appreciate further advice from the committee on ways in which we can further meet the needs of people with a mental illness and assist them in their recovery following treatment in our service system in Victoria.

The Brumby government has also invested significantly in supporting another important component of our service system, the supported residential service system, which is currently providing over 6500 beds here in Victoria. This program, the SAVVI (supporting accommodation for vulnerable Victorians initiative) program, will assist in ensuring viability but also improving the care of people who are living in this form of accommodation — people with a disability and people with a mental health condition.

We are also proud supporters of the community visitors program, which provides valuable advice to us and I am sure will provide incredible advice to the committee as it undertakes its work to look at new ways in which this government can continue to meet the needs of people in

our community who have a disability and people with a mental illness.

We have a record to be proud of and we are very keen for this motion to have bipartisan support so that we can continue to ensure that the investments we are making are targeted in the right way to assist people with a disability.

The SPEAKER — Order! Before calling the member for Doncaster, I would like to inform members that there are only two functioning microphones on the opposition side of the table.

An honourable member — Two too many!

The SPEAKER — Order!

Ms WOOLDRIDGE (Doncaster) — It gives me pleasure to talk to the motion for a reference to the Family and Community Development Committee in relation to supported accommodation.

What I want to do is expose this motion for what it really is. This is a reflection of a government on the run. For eight years the government has had responsibility for these services. For eight years we have seen bits and pieces of policies — an idea here, an idea there — while a crisis is brewing. The problem is that while you might be taking small initiatives here and there, the overall system is failing. There is a failure in the system which needs to be looked at, and we have to look at the bigger picture. The minister talks about her increase in funding. It is true that there is an 87 per cent increase in funding, but the reality is that this government measures by the dollars put in and not the impacts and outcomes that result.

What we see are failures in the system across the board. I do not care how much money this government has put in if the services are still failing as a result. It is not about the money that goes in; it is about the outcomes for people who are vulnerable in Victoria, it is about their ability to access services and accommodation, and it is about their ability to get care. We can talk about increases in funding and we can talk about dollars put into policies.

Mr Nardella — You don't care!

Ms WOOLDRIDGE — I care because we are not getting the outcomes for people with disabilities and mental illness. What we are seeing is this motion, which is a knee-jerk reaction. They are diminished terms of reference for a committee in relation to an initiative of the Liberal Party and the coalition. Last sitting week the coalition said it is time — time to get

over this policy initiative and this narrow process and approach that the government has been taking, and time to act in a comprehensive way in Victoria's supported accommodation crisis. We gave notice of motion in the Legislative Council for the Family and Community Development Committee to inquire into the state of supported accommodation for Victorians with a mental illness and/or disability and to chart a new course.

We wanted Labor on board so that a bipartisan consensus could be formed in order to effect lasting structural change to our broken supported accommodation system. It is very good to hear this long list, as I said, but the reality is that the system overall is failing. Here we are today. We know Labor is running scared and must play partisan politics even when it comes to some of the most vulnerable members of our community, and in order to nobble the comprehensive review we had already put forward, it has put on the table its own watered-down proposal. After eight years of inaction, Labor has scamped to institute the limited, narrow review that we are debating today.

Victoria's accommodation crisis is well documented, as is the need for significant change. People with a disability wait on average over four years to get access to a place in a CRU (community residential unit). The minister talked about the \$55 million refurbishment program, which is admirable and very important, but the reality is that the government has no commitment to additional CRUs and no new facilities are being built — and that is from the departmental official who leads this area. The department says that there is no commitment to additional facilities and that we are only doing up the ones that we already have.

Mr Nardella interjected.

The SPEAKER — Order! I ask for some cooperation from the member for Melton.

Ms WOOLDRIDGE — For Victorians with a mental illness, 46 per cent of hospital beds are blocked due to lack of downstream accommodation options. Then, once finally out of hospital, 65 per cent of people in secure extended care units and 30 per cent of people in community care units stay for over 300 days, as care options in the community are all but nonexistent. They are numbers from the government's own reporting and reviews. The consequences of this crisis are dire. Because of the lack of accommodation options, the independent accommodation watchdogs, the community visitors, say there are increasing numbers of young people with an intellectual disability or mental illness languishing in low-care facilities meant for frail elderly residents. The community visitors say this

situation has led to incidents, including threats with knives, assaults and even the death of several residents. Vulnerable Victorians deserve top-quality care, and they deserve nothing but support from their elected representatives. They should not be blown around by the ill and unpredictable wind of these partisan politics that the Labor Party is playing today.

I wrote to every single upper house member requesting a bipartisan consensus on the motion that we had tabled in the upper house, and I personally raised the review with the minister. However, the government, rather than taking the opposition's invitation to join it, is seeking to subvert our process with its own process — a watered-down, limited process — and in that process it is duping vulnerable Victorians. This half-baked counterproposal is quite transparently a venture in self-interest.

The review we propose through our amendment will be thorough and will take a holistic look at our system of supported accommodation. It will include not only specialised mental health and disability supported accommodation, but it will also look into low-care facilities that our community visitors have identified as being so problematic. The review will chart a new way forward. In moving the amendment I am about to talk to, we will replace Labor's wording with words consistent with the motion tabled in the upper house two weeks ago. Therefore, I move:

That all the words after 'Family and Community Development Committee —' be omitted with the view of inserting in their place the words:

'for inquiry, consideration and report no later than 30 June 2009 on the state government's provision of supported accommodation for Victorians with a disability and/or mental illness with regard to:

- (1) the description of current government-funded supported accommodation, including the number and location of places, occupancy, staffing, demand management, methods of funding and oversight;
- (2) the adequacy of the current number of places and care provided in community residential units, residential institutions, community care units, secure extended care units, prevention and recovery care facilities and other forms of supported accommodation;
- (3) the adequacy and appropriateness of care and accommodation provided in various government, private and community facilities that accommodate clients with a disability or mental illness because of insufficient places in the specialist system, and including, in particular, supported residential services, boarding houses, public hospitals, nursing homes and SAAP-funded services;

- (4) the impact on Victorian families of insufficient supported accommodation;
- (5) estimates of future supported accommodation needs and the appropriateness and transparency of the government's management of demand and placement;
- (6) the government's response to unmet accommodation needs, including sources of funding, planning and delivery;
- (7) the ability of country Victorians to access supported accommodation and the appropriateness and quality of care they receive;
- (8) the ability of members of culturally and linguistically diverse communities to access supported accommodation and the appropriateness and quality of care they receive;
- (9) the appropriateness of the current mix of service providers, including government, private and community; and
- (10) alternate approaches to addressing unmet needs for supported accommodation in Victoria'.

Let us have a look at the details of that proposed amendment. The key difference is in scope. We want, the sector wants and Victorians with a mental illness or disability and their families want a wide-ranging comprehensive review. However, Labor's terms of reference will strip the committee of the ability to take this big-picture approach. They are, instead, focused on bureaucratic processes and procedures. Importantly, we want to give voice to Victorian families on these issues, and we want the massive impact of unpaid caring and years spent on seemingly endless waiting lists to be laid bare.

I am pleased that Labor's tabled motion has ultimately included the ability of families to put their case forward to this review, but we think it is absolutely critical that the questions we will be asking will allow a broader ranging and comprehensive review in terms of that issue. The opposition's suggested terms of reference through the amendment will require the committee to quantify the levels of unmet need. Labor is only concerned with methods for measuring that unmet need. Under the coalition's plan, key accommodation discharge options from acute care for people with a mental illness will also be on the table. Labor proposes the exclusion of secure extended care units — where up to 65 per cent of clients languish for over 300 days — and prevention and recovery care facilities.

The latter is a very important emerging step-up, step-down mechanism in and out of hospital, but it only scratches the surface in terms of need. The coalition proposal will also take into account non-specialist

forms of accommodation like supported residential services, boarding houses and services funded by SAAP (supported accommodation assistance program). These facilities often house clients with a mental illness and/or disability because of the shortages in the specialist system, and they have been of particular concern to the community visitors. Labor's plan to remove the committee's ability to look into these services, which have become a dumping ground because of the failure of Labor's supported accommodation system, will remove a whole element of the review that needs to be looked at for a comprehensive review of the accommodation options and the impact of the failures and the unmet need.

Under the coalition's plan the committee will be able to scrutinise Labor's response to the accommodation crisis. Not surprisingly, the government scrapped this provision. I will tell members what it does by way of an example. We had a question in relation to the waiting time to access community residential units; 218 weeks was the response. The next time we asked that question, six months later, not surprisingly the data was no longer collected because the definition had been changed. The minister talked about open and transparent reporting. It is so open and transparent that the government changes the definition every time it gets a number it does not like. Parents and families cannot access the system. They cannot understand the system, and they find the system completely non-transparent to their needs as they try to access the services.

An important factor that has been identified by the sector is the appropriateness of the mix between government and non-government service providers, especially as the government is the regulator as well as the provider. But Labor has neutered the committee's capacity to investigate this also.

Finally, and very importantly, the coalition's terms of reference oblige the committee to spend substantial time looking into alternative models. We need new ideas, new approaches and we need to chart a new way forward. Labor's proposal merely looks at practices in other jurisdictions. I presume that is so we can perpetuate other failed systems in our own system. We need new ideas and new ways of thinking about how to solve these issues.

Labor had a simple choice in the interests of vulnerable Victorians — and also in its own interest — between revealing the current state of affairs or hiding the ineptitude of the system it has presided over for the last eight years. With this motion, it has chosen the latter.

In terms of the impact that I talked about earlier, our amendment uses words like 'appropriateness', 'adequacy', 'transparency' and 'impact on families', but in Labor's proposals these are replaced with bureaucratic weasel words like 'process', 'method' and 'extent'. If the Labor motion is successful, the committee will be bogged down more in the minutiae of departmental process than really examining the impact of these processes on families out in our community.

What Labor does not seem to understand is that for every one of the 1368 people languishing on the official waiting list for disability accommodation — and that does not include the thousands who cannot even access the list, despite their wish to, and also for those with mental illness in a similar position — there is a real family, just like mine and just like yours, Acting Speaker, who waiting on that list for care and accommodation. For every one of the people on that list there is an ageing mother and father too scared to die because of their concern about what will happen to their middle-aged, intellectually disabled son or daughter; and there is a family crippled by the financial burden of full-time caring. I will use this opportunity to draw some of those cases to the attention of the house to highlight the real need for a comprehensive review.

Through my office the case of a Box Hill man with a schizoaffective disorder who has endured 14 changes to accommodation in the last four years has come to my attention. In desperate need of long-term, secure accommodation, he is still on the waiting list. A Ferntree Gully man with an intellectual disability has been on the waiting list for supported accommodation for almost 10 years, despite repeated pleas to the government from the family. A Shepparton couple now in their 60s have been trying for years to access supported accommodation for their disabled son; the pressure of full-time caring has taken a massive toll on the health of both parents.

The independent accommodation watchdog, the community visitors, have related many harrowing examples in their most recent annual reports. Let us have a look at the CRUs (community residential units). Due to no overnight staff being employed at one CRU a resident who requires toilet assistance is forced to wear incontinence pads overnight. Where are the human rights in that? Because it has taken two years to organise repair works of a leaking shower in a bathroom at a CRU, the shower base has sunk; it is unhygienic, unsafe and residents can only use the bath.

A man suffering with Down syndrome who has been in supported residential services since September 2006 —

which is nearly 18 months — was not given any dietary supplements, medication was not applied to his skin, his teeth were not brushed and his nails were not cut. He has been unable to gain priority status on the disability support register or to obtain alternative accommodation.

There is a violent man who is at risk of self-harm who requires accommodation in an environment with staff who are experienced in dealing with people suffering from mental illness, but he just cannot get it. Then we look at mental health where a woman requiring long-term support that cannot be provided in a community care unit was actually put into an acute adult unit. She no longer requires the adult care, but until appropriate accommodation can be found she will continue occupying an adult inpatient bed.

These stories are important to tell because if we forget that behind the waiting list figures there are real people and real families, then nothing will change. In seeking to introduce its own watered-down review, Labor has forgotten this important fact.

It was interesting to note that the minister placed a real emphasis on independent monitoring to protect people's rights. The independent monitoring in supported accommodation is the community visitors who are an important mechanism. Interestingly, since 2003 community visitors have identified a shortage of mental health beds as a key issue. Every year since 2004 they have reported an acute shortage of appropriate discharge accommodation. In terms of disability accommodation, every year since 2002–03 the community visitors have been urging the government to act on what they call a crisis in unmet need. We might have an independent monitoring system, but the government continues to ignore the recommendations of that important independent process. Year after year they say the same thing to the government, but this government just does not listen.

Members need not just take my word for it, and we have heard some case studies, or even that of the independent accommodation watchdog, the community visitors, because the sector is also saying the same thing. In its budget submission this year the Victorian Council of Social Service (VCOSS) said that disability support and accommodation is its top priority and that thousands need supported accommodation as a result of underfunding.

The sector and families are also vocal in support of the coalition's review proposal. In a letter I have received from VCOSS, the peak body commends the coalition's motion, and the council states that it has had grave

concerns about the state of supported accommodation in Victoria for many years, especially in relation to the extent of unmet demand. The Victorian Council of Social Service hopes the coalition's motion is successful.

I would like to take the opportunity to present to the house some of the many other views from both the sector and families in support of the coalition's amendment. One is:

The utter hopelessness which the current service system generates is untenable. The exploitation of families who love and care for people with dependent disabilities is abhorrent. This inquiry would be a welcome opportunity for families to make their voices heard and hopefully give our elected MPs the unadulterated, unfiltered and non-distorted information they need to bring about change.

Another mother said:

My son receives support from disability services to provide a day program and some recreation/respite opportunities which are welcome and very effective. But I know with some despair that the next step — working toward setting him up in a suitable accommodation option — is virtually impossible. Not only is there a long waiting list and a critical shortage of places, there is also a very restricted range of options, especially for individuals like my son who have a set of complex needs.

One of the organisations in the disability sector said:

We are particularly concerned to see that the inquiry will focus on the large numbers of aged parent and family carers who are forced to care beyond retirement age because the system has failed them.

Another said:

The motion covers the vast range of issues which need to be addressed to assist the most vulnerable in our community.

A service provider said:

My concern is that much of the unmet need will be hidden simply because of the new processes for DHS's disability support register.

Which the minister spoke about so fondly.

Finally, another view is:

That is a fabulous development!

The community wants it and the families want it. They understand what we are trying to do with a comprehensive review. It is time to act on our supported accommodation crisis, it is time to chart a new course, it is time to have new ideas and it is time to open ourselves up, as was said, in an unadulterated, unfiltered and non-distorted way.

It saddens but it does not surprise me that this secretive and unaccountable government has seen fit to move its own motion in an attempt to water down the coalition's proposal. But those opposite now have another chance to support the amendment that the coalition is moving. I urge them to think about their family members, their constituents and those in Victoria with a disability or a mental illness who cannot get accommodation. They should put the interests of those people ahead of their own interests and the desire of the government to have an inferior and limited review of this important topic. I urge the house to support the amendment.

Mr LUPTON (Pahran) — I rise to support the motion listed in the name of the Leader of the House and moved by the Minister for Mental Health and also to oppose the amendment that has been moved by the member for Doncaster.

The motion before the house includes an important reference to a committee that has a very important jurisdiction in this state. The Family and Community Development Committee is a joint investigatory committee of this Parliament, and in these circumstances has the role of undertaking a very important inquiry into the provision of supported accommodation for Victorians who have a disability and/or a mental illness.

The motion before the house sets out a range of terms of reference in a form appropriate for the committee to carry out a wide-ranging and thorough examination of supported accommodation and make its recommendations to the Parliament, and through the Parliament to the government of Victoria, about the ways the system can be improved as we go forward.

In the context of this debate it is important to recognise the important and very wide-ranging improvements that have taken place in the area of funding and service provision for people with a disability and people with a mental illness over the eight years this government has been in office, because that is the starting point, the base, upon which the committee will start its work and research and make its recommendations. It is clear that over the period since this government came to office in 1999 we have seen enormous changes and improvements and a complete change of culture in the way that service is provided to people with needs in the areas of disability and mental illness.

We have seen extraordinary changes and improvements in areas of public housing provision. We have seen appropriate development and funding of community housing. For the first time in this state we have seen the establishment of housing associations. That is a great

breakthrough which is providing accommodation not only for people with a disability or a mental illness but also for people who need affordable accommodation in a variety of ways. That is an astounding breakthrough in providing affordable housing in this state for so many people.

As the minister has already indicated, we have seen another breakthrough development in the establishment of the Disability Housing Trust in this state. These are innovative ways of coming together with the community and with philanthropic organisations so that we have access to the funds, the wherewithal, to make sure that new ideas are given an opportunity to flourish in this state.

We have seen great work being done by this government particularly in partnership with not-for-profit community organisations. The ones I have the opportunity to work closely with in my electorate include organisations such as the Pahran Mission and Jewish Care. They are doing fantastic work and are very appreciative of the ways in which this government has worked with them closely and cooperatively and increased the funding that is available to them to carry out their very important work.

The minister made the point that funding for disability services, including supported accommodation, has increased by some 87 per cent since our government came to office in 1999, and, while funding is not, of course, the be-all and end-all of public policy it is certainly something that you cannot do without. If you do not have adequate funding then a whole range of the other programs, ideas and plans that you may wish to put in place simply will not happen.

But what do we hear from the opposition? We hear that they do not really care how much money is being put in. They do not really care about that because when they were last in government they cut the funding. We know what their attitude is to public funding of these organisations and institutions. They do not care about it. They do not believe it is the role of the government to be involved in it, and they will not support it if they ever get another opportunity in government in this state. We will rue the day if that happens, and we want to make sure that it does not happen. We do not want to put the people of Victoria in that position again, where another coalition of conservatives comes into government in Victoria and decimates public services and facilities in this state. That is what opposition members want to do and that is what they would do if they were given the opportunity. But we will stand in their way and we will make sure that they do not get

that opportunity here in Victoria — because we will do the job. We will make sure the people of Victoria are properly supported and that these facilities and accommodation are properly supported. We have the plans, we have the policies and we have the vision and foresight to make sure that we know what is needed in Victoria, and that those plans are put in place for the benefit of the people who need them.

We look to a range of things that this government has done and will continue to do in relation to supported accommodation. There is, of course, the establishment of very important oversight bodies such as the disability services commissioner, who is an important adviser to government. That office makes sure people have somewhere to go if they believe they have a complaint to make or have a criticism or believe they need some particular assistance of that sort. A range of things have been done by this government to make sure that the process for improving facilities and accommodation in this state is appropriate and adequate. As we often say — because we understand that the work that government is doing here on behalf of the people of Victoria does not cease — there is more to be done. We are the government that is getting on with the job of doing it. That is why we are happy to have a reference to the Family and Community Development Committee in relation to these very important issues.

Of course what we need for the committee is an appropriate reference. We need to make sure that the committee has terms of reference that are in a form appropriate for an appropriate inquiry. When one looks at the amendment one sees it seems that what the coalition is trying to put forward is in the form of a question on notice rather than terms of reference for a committee of inquiry, because the coalition parties want to play politics with this committee. They want to play politics with a joint parliamentary investigatory committee, and they have framed some of the proposed terms of reference in a form that is inappropriate for the terms of reference of an inquiry. What we want to do, and what we will make sure we do here, is to have an appropriate and proper inquiry into these matters so that the government can be given proper recommendations that the Parliament can sensibly consider for improvements that may be required and may be appropriate for our system of supported accommodation in this state.

But we cannot ignore the hypocrisy of members of the opposition coalition when they come into this house and complain about the way in which services are delivered, because whenever they are given an opportunity to be involved in this process they cut, they slash, they burn and they decimate. It is extraordinary

hypocrisy that we see in members of this coalition — this ramshackle coalition, I have to say, given the circumstances we have seen in this Parliament this week, where they do not even seem to know how many Nationals members are on their shadow frontbench — we certainly do not have any confidence in their ability to stick together going forward.

Nonetheless the government is happy to have a reference in the appropriate form go to the committee and for the committee to do its work. But the member for Doncaster really did go astray on all of this. In her contribution, for instance, she tried to suggest to the house that the impact on families of the current service provision of accommodation was not appropriately part of the terms of reference. She said that there was no impact on families; she said that there were weasel words used. In the terms of reference proposed in the notice of motion, term of reference (g) refers to ‘the impact on families of the current service provision of accommodation’ and of course the motion also goes into looking at the different models for service delivery and funding. It is worded in an appropriate way so that the committee will be able to look appropriately at different models for service delivery and funding.

The terms of reference that are proposed by the government are appropriate for the committee, they are appropriate for the terms of reference of an investigatory committee, and in accordance with the proper procedures of parliamentary committees, the government proposes that the house should support the words, the terms of reference, as moved by the minister, and we look forward to the committee proposing some very good recommendations for the government to consider at the end of its inquiry.

The ACTING SPEAKER (Mr Seitz) — Order!
The honourable member for Shepparton can speak now on the motion and the amendment.

Mrs POWELL (Shepparton) — I rise to speak in support of the coalition’s amendment that was moved by the member for Doncaster. As a member of the Family and Community Development Committee, in fact as the deputy chair, I look forward to this reference coming to the committee. The member for Doncaster is also a member of the Family and Community Development Committee, and I know that she is very much looking forward to this reference coming through as an inquiry, and in fact quite a number of weeks ago the member for Doncaster spoke to me and asked me what I thought of this reference coming to our committee, and I was delighted to have it come.

Then it was recorded on the upper house notice paper. Notice was given on 7 February by Mr David Davis in the other place, and if you read the terms of reference of the notice of motion in the pink upper house notice paper and then read the notice of motion on the green lower house notice paper dated today, you will find there is very little difference in the wording. In fact the motion has almost been poached from the upper house notice paper. When the minister says that she is hoping for bipartisan support I would hope that she would give credit where credit is due. The wording in the amendment moved by the member for Doncaster was also brought forward as a notice of motion in the upper house due to a genuine need for a reference for that committee. It was done not for political point-scoring, as the minister suggested, but with the best intentions.

This government has been in office for the past eight years. Once that notice was given in the upper house on 7 February that a reference was required, the Minister for Mental Health, who is also the Minister for Community Services, suddenly realised that we need to look into the provision of supported accommodation for Victorians with a disability or mental illness — and we really do need to do that. But again, I had hoped that the minister would have given credit where credit is due and would have commended the member for Doncaster and the coalition for bringing in this reference to the Family and Community Development Committee.

It reminds me of when The Nationals in the other house brought in a private members bill on body piercing. We were told to adjourn our bill, and a number of weeks later the government brought in its own discussion paper about — lo and behold! — body piercing. We have been calling for this legislation for three years. Again, we do not mind the government poaching references or motions or pieces of legislation, but I ask it to please give credit where credit is due.

I commend the member for Doncaster on the work she has done on this issue, and I look forward to the government supporting the amendment rather than the motion, because the amendment is different from the motion — it broadens it. At the bottom of the motion it states:

... for the purpose of this inquiry 'supported accommodation' means public and private accommodation provided for people with a disability or mental illness who need additional support services but excludes mental health treatment services (SEC, PARC) and the disability forensic program (SFS).

The effect of the member for Doncaster's amendment would be that the committee would look at all of those forms of accommodation and service. As the member for Doncaster said, we need to be looking at where

there are crises — whether because of the inaction of this government or for any other reason — in being able to accommodate people with a mental illness or a disability. Where there are crises in community services, people end up in these high-needs accommodation services. We need to make sure they are appropriate for and meet the needs of the clients, the people who use those services.

When we talk about mental illness, we are talking about the fact that one in four people during their lifetime could suffer from a mental illness. It is a huge issue so we need to make sure that people with a mental illness are supported and are given the correct medication. They need to know there is somewhere for them to go to be looked after from time to time. Often they are able to move on with their lives. Sometimes they are on medication for the rest of their lives. Others get enough treatment so that they can carry on and their health is regained. Eighty per cent of homeless Victorians have a mental illness. That is a huge number of people with mental illness out on the streets. It is very difficult for them to find accommodation anywhere in the private or public sectors. We hope these vulnerable, at-risk people are not on the streets but in appropriate accommodation that can meet their needs.

A number of young people with an intellectual disability or mental illness are being accommodated in aged-care or low-care facilities; this is totally inappropriate for them. Their parents are stressed and disheartened when they visit their children in such places. They see that in an aged-care facility there is no stimulation for young people and that it is a totally inappropriate place for them. People who have acquired brain injuries are in aged-care facilities as well. This issue has come to my attention quite often. Parents of people with an acquired brain injury can go only to an aged-care facility for support. We need to make sure there are facilities in place where people with such a disability can be accommodated. These issues and accommodation options are worse in country Victoria where there are limited options for people with a disability.

There are older parents or, as the minister appropriately calls them, carers who look after people with a disability. As they age their children age. I have heard of some horrendous cases where the parents are frightened of their children because of their size and strength. Frail, aged people are put into hospital because they get pushed when the people they are caring for get angry. As they get into their twilight years these parents want to know there is somewhere for their sons or daughters to go. Some have the mentality of children but the size and anger of adults.

The parents need to know before they pass on that their children will be cared for in an appropriate facility where they will get quality care.

An issue that comes through my office quite a lot is the lack of respite care for people with a disability. Carers want to know that they can put their loved one in some sort of facility for respite care for perhaps a day or a week while they go on holidays. A number of older people who come into my office want to care for their child, but they need some respite. They take on the burden — although they do not think it is a burden — of looking after that child 24 hours a day, 7 days a week.

Many non-government organisations are doing fantastic jobs with limited resources. I quite often speak to many of them. We need to make sure we have accommodation facilities that will look after culturally diverse people of non-English-speaking backgrounds and indigenous people. They should be looked after in an appropriate facility.

Labor's motion has changes from the proposal put forward by the member for Doncaster on behalf of the coalition. A number of mental health organisations are excluded; we need to make sure they are included. The voices of families will not be heard and those issues will not be addressed unless the committee has them included in the reference. We need new ideas. There is a budget promise of 25 additional acute beds and 70 prevention and recovery care beds, but that does not even scratch the surface. We need to know where the accommodation is at the moment; where it is needed and what type is needed. The committee needs to look at all those issues.

We support the member for Doncaster's amendment. We call on the Labor government to put down its policy of saying it cannot approve of it because it is an opposition proposal. We ask it to support the coalition's amendment.

Mr LANGUILLER (Derrimut) — I rise in support of the inquiry into supported accommodation to be referred to the Family and Community Development Committee in the form of a reference. I oppose the amendment as proposed by the opposition.

It is important to highlight that this is another step in the right direction. Members in this house ought to be aware — if I may remind them — that it was this government that put in place the Victorian state disability plan 2002–12. When it came into office in 1999 this government went around the community and consulted with the disability sector, carers and families,

and very importantly with people with disabilities. We paid attention as a government to what they had to say about the sort of accommodation and support they want from the government and how they want to live in the community as citizens.

It ought to be remembered that at that time it was this government that started a massive, unprecedented review to look into the way we do business with people with disabilities, parents and carers. Arising out of that we subsequently, in the same manner — with consultation and in partnership with the sector and people with disabilities, after listening to what they had to say and how they wanted to live as full citizens in the community — proudly adopted the Disability Act 2006. It would be fair to say — and we certainly are proud of it on this side — that as far as that legislation is concerned, it was and remains the most advanced piece of legislation in any jurisdiction in the land.

I believe, given my restricted and modest knowledge, that it could only be compared to legislation in Norway and perhaps in some jurisdictions in Canada. This is very good legislation. Opposition members forget what we did at that time. They ought to go back to it, because that is the genesis of what we are doing today. It is another step in the right direction in meeting the needs of people with disabilities. As far as legislation is concerned, we moved effectively and philosophically from diagnostic-based legislation to legislation based on a combination of needs and rights. The truth is that we were not going to, and nor should we have had to — I certainly remain of that view — move totally to legislation based on rights, as happens in Norway, because we would have created an expectation that possibly we would not have been able to meet. This government is about promising only the things it can deliver.

Our legislation has brought about a whole-of-government approach. The opposition — and I register respectfully the contribution made by the member for Doncaster — says that we have done little and not enough and that we are not being creative and not using new ideas. The fact is that we are the only jurisdiction that has been creative and is adopting new ideas. We have now moved onto a whole-of-government and whole-of-community approach in order to be able to meet the needs of people with disabilities, because during the course of the travels the committee undertook around the state when looking at the Victorian Disability Act and the Victorian state disability plan 2002–12 people told us what they wanted. What we did was precisely meet as much as we could the desires and the needs as they were expressed to us of people with disabilities and their carers and families. It should not be forgotten that we established for the first time something

this sector wanted, and that is the Office of the Disability Services Commissioner. That is an important achievement by this government.

When we came into office in 1999 the budget in the disability sector was in the order of \$570 million. Today it is in the order of \$1.1 billion, so there has been significant growth. The opposition, including the member for Doncaster, suggests that money does not matter. I ask the member for Doncaster to face people with disabilities and their carers and suggest to them that money does not matter. Between 1999 and 2006 expenditure went from \$570 million to in excess of \$1 billion. I suggest to the member that it does matter when you increase funds, but it matters particularly when you work creatively with the funds and do the things that people with disabilities and their carers in this jurisdiction have asked of us during the course of the extensive consultations we have had around the state over a long time.

This government has a current budget of \$525 million for residential supported accommodation. The member for Doncaster talks about additional community residential units (CRUs). Let us be absolutely clear, although I certainly do not wish to pre-empt what I am sure will be put by way of submissions to the committee, that in Victoria we have 914 CRUs and 4650 residents. Is that enough? No. The answer is that more needs to be done. Let us be absolutely clear: we will certainly be monitoring this situation.

Members of the opposition talk about greater commitment. On the one hand the member for Doncaster says that money does not matter; on the other hand she talks about needing to put in more money. Each CRU costs \$1 million to build and \$600 000 to service and, as I said, in Victoria we have 914 CRUs. Let us be fair dinkum about this. Are we talking about continuing to provide services and to meet housing needs in the same manner as we have in the past? The truth of the matter is that this government — and any other government, for that matter — cannot afford to continue doing business in the same way. We need to be creative in how we provide services and how we work with people with disabilities. We cannot multiply this budget by four. It is currently in the order of \$1 billion. Is the opposition suggesting that we should continue to provide services in the same manner as we have in the past? That is a formula for disaster and for doing absolutely nothing, and when the time comes the opposition will not be there, providing the funds that are required.

It is important to keep in mind that this inquiry will be conducted by a bipartisan committee that will have the

capacity to receive submissions. I am sure it will compare notes with and look at what is happening in other jurisdictions.

The opposition has suggested that recognition should be given where it is due. The truth is that if there has been any one government that in the last 20 years has been creative about the way it has worked with people in the disabilities sector and provided residential accommodation, and beyond accommodation — I recognise that that is important — the way it has worked with individuals so that they can become full citizens and participate in the community, it has been this government. The Brumby government and before it the Bracks government have done exactly what this sector wanted. It is precisely because we think that more needs to be done that these matters are being referred to that committee. We will be looking into the standard range of accommodation and into a range of other issues on which I am sure people with disabilities, their carers and the sector in general will be providing us with information by way of submissions.

I stand here proud of the work this government and its departments have done over the last few years. More needs to be done, and we are going to be meeting the challenges in partnership with the sector and with carers. We absolutely recognise their work, but importantly we recognise what people with disabilities have to say.

Mr BLACKWOOD (Narracan) — I rise to speak in support of the amendment proposed by the member for Doncaster for a comprehensive investigation into and review of the state government's provision of supported accommodation for Victorians with a disability or mental illness to be conducted by the Family and Community Development Committee. Before I go on I would like to register my absolute disappointment — almost disgust — that the minister who will be responsible for implementing recommendations that this review may put forward has not seen fit to stay in the chamber to listen to this debate. It is absolutely disgusting.

Back in April 2007 I called on the then Premier, Steve Bracks, to initiate an urgent summit of all state and territory leaders at which he could solicit their support for the inclusion in the new commonwealth state/territory disability agreement of the recommendations of the then recent Senate inquiry. That inquiry established quite clearly that the weight of caring responsibility is a crushing and unreasonable one on countless families. The primary recommendation is for governments to commit to substantial additional funding to address the unmet need for specialist

accommodation and support. I called on the then Premier to take action and stand up for Victorian families who provide 24-hour unpaid care for family members who have a dependent, severe or profound disability. That was in April 2007, and nothing has happened. Now the member for Doncaster is again trying to focus this government's attention on the huge issue that confronts many families and individuals right across Victoria.

The most disturbing factor for me is that many of the parents providing 24-hour, unpaid care for family members are ageing — for example, in Warragul a 90-year-old mother is still caring for her 56-year-old son who was born with a disability. There are many examples of similar situations in my electorate. All that sole dependent carer parents of disabled adults want is to be able to pass from this life with the peace of mind that would come from knowing that in their absence parents their son or daughter was going to be cared for in appropriate accommodation that would satisfy all their needs.

The Brumby government has been in such denial on this issue that, again in Warragul, there is a project on the drawing board for the community to build a two-unit facility as supported accommodation for people with a disability. It is absolutely shameful that once again the Warragul community has to bail out the government on this issue. This community is not prepared to sit back and have its most vulnerable and their families constantly ignored and left in limbo. The interesting thing is that this two-unit facility will not go anywhere near satisfying the enormous unmet need in the Baw Baw shire. It is estimated that there could be as many as 50 special needs people requiring this sort of accommodation in the short-to-medium term in the Baw Baw shire alone.

Jean Tops, from the Gippsland Carers Association, has been doing a fantastic job advocating on behalf of carers right through Gippsland for many years. She has worked tirelessly on the issue of supported accommodation while at the same time providing 24-hour care for her profoundly disabled daughter, and her comments in support of this inquiry are very relevant. She stated in correspondence to me:

We struggle to care under extreme and stressful conditions with an absence of sector-wide planning for critical unmet needs in both disability and mental health accommodation services. The pressing need exists for a voice to be heard within the thousands of caring families of our state.

...

Our most pressing concerns for the families who contribute more than 92 per cent of all cared accommodation in this state

are that they are left out in the cold in any policy and planning due to the absence of any funded disability family advocacy network to ensure our place at the negotiating table of government.

Such neglect of basic human rights of so many families who contribute so largely to the welfare of persons with dependent disabilities has long been raised by caring families across the nation, but yet remains unresolved.

We strongly believe that a public parliamentary inquiry is the only way we as caring families will have an opportunity to have a say about how our needs and the needs of our loved ones are, or are not, being met by specialist disability services and specialist mental health services.

Referring to this house, she goes on to say:

We urge your immediate attention to our request for bipartisan support for the inquiry as proposed by the opposition —

that is, the amendment before the house.

In conclusion, vulnerable Victorians deserve better than this government has been prepared to offer. It is absolutely clear that what we have now is not working. We need new ideas and a new direction. The coalition's proposal will achieve this, but if Labor's is adopted, the same old broken system will lurch on. I stress that the review must be broad-ranging and comprehensive, it must be completely inclusive and must provide the opportunity for all stakeholders to have input.

Mr FOLEY (Albert Park) — I rise to oppose the amendment proposed by the member for Doncaster and to support the proposition as moved by the Minister for Mental Health. I do so with a view that for the system of parliamentary committees to work appropriately in this place it needs the constructive engagement of all sides of Parliament. If, as seems to be the case in the other place, the demands of short-term opportunism and cheap political point-scoring take over through the work of parliamentary committees, the real issues of concern to the community we are here to serve will be sacrificed on the altar of that expediency.

We have just such an opportunity before us today: for this house to constructively engage with the community and deliver a process that will see an important issue receive the attention that it truly deserves. I note the good work clearly done by the minister and concede the good work done by the shadow minister, the member for Doncaster. They have all done good work in this area today, but what they need to do is recognise the common ground that perhaps unites them on this issue and go forward with this reference. This is a generous reference that will look at supported accommodation services and best practice standards that could be

reasonably expected from a government that is committed to funding those best practice standards.

The inquiry's terms of reference are wide ranging and cut across both the private and public sectors and some of the very issues that my friend the member for Narracan raised. I note that he had some concern about the minister not staying here for the duration of the debate, but as soon as his valuable contribution ended he scampered out of this house. That strikes me as somewhat incongruous. It is a very strange world in which we live when members can pontificate and then disappear.

We have to add that not only are these generous terms of reference but the record of this government in this area is one of some considerable achievement. We have already heard the minister refer to an 87 per cent increase in funding for disability services, and a budget of over half a billion dollars is a substantial achievement. My friend the member for Doncaster indicated that that is not necessarily the be-all and end-all, and of course she is right. There is a whole system of support and consultation mechanisms that goes with this difficult issue of supported accommodation and that needs to be dealt with. As the minister has already outlined, there are a range of initiatives in place that currently extend beyond just the mere provision of substantial and important funding.

We have also heard from the minister about a range of partnerships that the commonwealth and the state are engaged in. Since the election of the Rudd Labor government federally there are further plans for efforts to reduce practices such as younger people's sometimes inappropriate, but unavoidable to date, location in residential aged care.

The fact is that the minister and this government welcome the reference and its focus on best practice comparisons with other states. It is a comparison that we think will reflect well on the efforts of the sector in Victoria. Even though we have a good record in this regard, we should not shy away from the fact that we can do more and that we should be learning from others in this important area. The reference gives us the opportunity to do that. The member for Narracan has already alerted us to the good work done by the Gippsland Carers Association, and I certainly read their material with great interest. It reflects the fact that there are many groups in the community made up of hard-working, dedicated people in this sector.

This reference will give those people, together with local government and of course the extensive range of support services within the Victorian public sector, the

ability to participate in this reference and in the important work of establishing one of the best practice outcomes for residential care. Groups such as the Gippsland Carers Association — or people such as those at the nursing home I visited on the weekend in Kensington where there are unfortunately young people residing in circumstances that are not ideal — need to be considered very carefully as part of this opportunity. These are the really important common ground areas, and if the opposition were to grasp the opportunity it could contribute quite constructively to some good outcomes in this area.

The issue of people with disabilities being co-located with patients with severe dementia is not a pretty one. There are services where people with complex needs are inappropriately put together. There are other services which do a tremendous amount of good work in this area — for instance, the Very Special Kids Centre at Malvern, which I am also familiar with through my own family's circumstances. The kids centre will be given the opportunity to participate in this review, and I am sure it will because it is a dynamic, go-ahead private sector organisation that not only fundraises well but also engages with all sections of government on how to deal with the policy issues around supported accommodation, respite care and the whole range of issues that go with this important area of public policy.

In my own electorate of Albert Park district there are many such supported accommodation options across a range of sectors that I am sure would welcome the opportunity to engage with the committee in this important work. We work locally with a range of these services in the Albert Park district to both advocate on their behalf and to seek where possible to frame public policy in an appropriate manner so that it will deal with the significant issues that this sector continues to grapple with. This reference will give these services both individually and collectively the voice to be heard.

If I could point for a moment to the work done by the Sacred Heart mission and the homes that it offers in supported accommodation for a range of people at the most vulnerable end of our community, whether it is the homeless, street sex workers, people with complex mental illness issues or people recovering from drug and substance abuse problems. It is about how these people are integrated both into supported accommodation and the homeless strategies that the mission runs. They will be given the opportunity to have their legitimate concerns dealt with in an open and transparent way, which are the very issues the member for Doncaster has already alerted us to.

There are the Crawford Court flats managed by the Uniting Church in South Melbourne, which strangely enough my family has also had some dealings with going back to the 1970s. There is Hamilton House in St Vincent's Place, which as it turns out is opposite the house of the former member for Doncaster, who is now a constituent of mine.

Ms Munt interjected.

Mr FOLEY — I doorknocked him in the lovely St Vincent's Place. He said he voted for me. That house deals, in the supported accommodation area, with male pensioners, and it does a fantastic job essentially running on the smell of an oily rag. I am sure it would appreciate the opportunity to participate in this inquiry. There are numerous other independent living units scattered throughout my community that I am sure would welcome the opportunity to participate.

All of these and other service providers will have the opportunity to make representations and to have this important issue considered openly and I would hope in bipartisan manner, which leads me to the member for Doncaster's amendment to the terms of reference and the issue of it being less than constructive. It really is an attempt to go on a fishing expedition and to go through a muckraking exercise, focusing on individual tragic cases — which are sadly all too prevalent out there — rather than dealing with the substantial issue of what is the best public policy and delivery framework that will allow this issue to be dealt with in a constructive, bipartisan manner. I would urge the house to reject the amendment that has been put forward by the member for Doncaster and support the substantive motion for this important reference.

Mr JASPER (Murray Valley) — My support for supported accommodation for people with a disability within my electorate of Murray Valley goes back a long way. I go right back to the 1980s and the development of accommodation in the Numurkah area within my electorate and also in Wangaratta. The local communities did a lot of work in developing those facilities to assist people with a disability, whether it was on a respite-care basis or on a long-term basis. They were supported by the government of the day with some recurrent funding, but in fact a lot of the money was provided locally for development of those facilities.

We found that during the 1990s most of the facilities, particularly those within the rural city of Wangaratta, were taken over by the department because there was a belief that a variety of wages, salaries and conditions needed to be brought into line with what the

government was in fact paying. They were brought into line, but right through that period we saw in my electorate a continuing need for assisted accommodation for people with a disability.

I have worked on this issue since the 1990s and particularly since the change of government in 1999. We have seen an increased need for this sort of accommodation. I have listened with a great deal of interest to some of the comments that have been made. It is a huge issue, there is no doubt about that. The member for Albert Park indicated that substantial achievements have been made over a period of time in this area and in the provision of this type of accommodation, but it has not gone far enough. That is the difficulty. These services were developed, as I indicated, through the 1980s and 1990s, but in my electorate little has been provided by way of additional accommodation, whether on a respite basis or a long-term basis, for people with a disability.

I listened to the member for Derrimut, who spoke about the need to change how we fund this accommodation in the future. He spoke about creative funding opportunities. I think that is missing the point of the issues we have before us here in relation to the provision of these services. Following the amalgamation of municipalities the shire of Moira had a continuing demand for the provision of accommodation for people with a disability. The shire had undertaken an investigation into the needs. I made a lot of representations to the government on the basis that we needed funding to be provided for facilities to be built.

The then Minister for Community Services, Sherryl Garbutt, came up to Yarrawonga in late 2005. It was a huge deputation — busloads came into Yarrawonga — and we met with the minister on the basis that we needed to get funding for the provision of additional accommodation. At present over 30 families are looking for accommodation, mainly long term but sometimes on a respite basis, for people with a disability. We have ageing parents who have sons or daughters in their 30s, 40s and beyond. Those parents are extremely concerned about what will happen when they pass away. We need this funding for additional accommodation.

Cobram Gateway Services provides an excellent service for people with a disability on a day-care basis. In the latter part of last year the service launched an appeal for funds. People there have told me that they will be raising funds for accommodation. Also have in Yarrawonga a committee was formed in the latter part of last year on the basis that we need additional

accommodation. This is a recognition from the investigation undertaken by Moira shire that in a few years time there will be a need for over 60 accommodation places for people with a disability. It is a critical area. I was in Yarrawonga last Friday week when an appeal for funding for a facility in that town was launched. A former Deputy Prime Minister of Australia, Tim Fischer, launched this fundraising, and already \$300 000 has been raised. A block of land worth about \$200 000 has been donated, so \$500 000 has been raised.

I wrote to the Minister for Community Services in the latter part of last year saying that what was happening in that part of my electorate. I got an interesting response from the Acting Minister for Community Services. I think it is worth putting into *Hansard* the comments made. The Minister for Health, as Acting Minister for Community Services, said:

A range of respite providers currently operates across Hume region and Moira shire under commonwealth, state, and self-funded arrangements. Recent trends in the provision of respite services have emphasised the flexible use of individualised funds.

Whatever that means! The minister further said:

This approach complements the respite service that can be offered —

in locations such as Numurkah and other major regional centres. The minister also said:

I am advised that the two committees involved in attempting to establish facility-based respite in Yarrawonga-Mulwala and Cobram-Barooga may need to strengthen their focus on service coordination and partnership. This will avoid competing for capital works ...

Here we have two committees being formed in Cobram and Yarrawonga to raise funding, with no real support from the government. We do not need platitudes from the member for Derrimut. He talked about creative funding; we need immediate action.

We have a desperate situation, so I strongly support the reference that has been put to the house, but I support the amendment moved by the member for Doncaster on the basis that this reference was presented in the upper house a couple of weeks ago. The government has suddenly decided that perhaps it should get in on this because it is such a huge issue right across the state of Victoria, and indeed within my electorate. The government has picked up what was in a notice of motion in another place and has moved a variation of it in this house. However, the critical part of this is it must be taken to this bipartisan committee so it can be

assessed and we can understand the huge difficulties we have with this issue.

The bottom line is: what is the government going to do about funding? It is all right for the Minister for Community Services to come and talk to me, as she did last night, about the creative funding mentioned by the member for Derrimut on the basis that we need to get support by way of capital works to provide these facilities to people with a disability. In closing, my message is that as the member for Murray Valley I strongly support the reference to the committee to undertake a full investigation into all the ramifications of this issue, including the difficulties being experienced not only in my electorate of Murray Valley but across Victoria and how we should fund these facilities in the future. The government should accept the amendment moved in good faith by the member for Doncaster and agree that collectively we have to come forward with the best possible solutions into the future and the best reference that can be made.

Surely the government has to say in a bipartisan manner, which members of the government benches have talked about, that it will look at this and get the best reference possible. Comments like those made by the member for Albert Park are totally out of place. He more or less said that the opposition was putting forward an amendment which was muckraking — I think that was the word he used. That is not the objective at all. The objective is to get the best possible outcome for the people who are in need of these services.

I trust that the government will consider the amendment favourably, perhaps have discussions with the member for Doncaster and listen to what has been put forward and let us move forward with the best reference possible to get the best outcome and the best investigation by this committee. I am supporting the motion being put forward for this committee to undertake a bipartisan investigation on the need for an increase in the number of facilities being provided right across Victoria. I have highlighted the difficulties within my electorate of Murray Valley, particularly in Moira shire where people have a huge problem with this issue. They are addressing it themselves, but we need support from the government to make sure that it happens and we get the best result possible.

Ms MUNT (Mordialloc) — I am very pleased to rise today to speak in support of the reference for the Family and Community Development Committee to inquire into and report to Parliament on the provision of supported accommodation for Victorians with a disability and/or a mental illness. I would like to go

through the reference as written; it gives some indication of the importance with which the government views services for those in our disability sector. I would also like to just quickly put on the record that I have very carefully read the member for Doncaster's amendment to the motion. Generally speaking the amendment and the motion target the same issues, apart from a number of changes in the amendment which are probably political in nature.

I will just go through the reference in detail. The parliamentary committee is asked to report on: no. 1, the standard and range of accommodation that is currently available; no. 2, the extent of accommodation and services currently available, including the different models for service delivery and funding; no. 3, the methods for measuring unmet demand for accommodation and how these can be improved; no. 4, the process for managing service quality; no. 5, the availability of sufficient accommodation to meet future demand with an appropriate range of services; no. 6, access and service issues for particular groups, including rural communities, culturally and linguistically diverse communities and indigenous Australians; and no. 7, the impact on families of the current service provision of accommodation. It is a wide-ranging and very broad reference. It is also worth noting that it is being given to an all-party parliamentary committee so that different parties can all have an input into the inquiry conducted by the committee.

I view the all-party parliamentary committee system in this Parliament as a wonderful feature of a Parliament. It is a place where parliamentary committees made up of members from all parties in the Parliament can come together to work through references and in that process have their say and make recommendations. I have been involved with two committees. The first one was the Education and Training Committee. Apart from in respect of one report, we managed to present agreed reports on all the references that were given to us. It was not easy. It took negotiation involving all sides, but to be able to agree on a report and recommend it to the Parliament was, quite frankly, a very good feeling. The same result could be achieved under these terms of reference if all parties worked together cooperatively.

The second parliamentary committee, of which I am currently a member, is the Public Accounts and Estimates Committee. Frankly it has been a more difficult process, because negotiation and finding all-party agreement is much harder. Again, I find it disappointing when politics comes into these matters, because all-party committees are a method for the Parliament to speak as one voice. It is particularly

disappointing that an amendment to the reference has been moved in this house. I understand that at some stage it will be put to the upper house. I have also spoken to the minister regarding this, and she assures me that she has been engaged in a number of discussions in trying to put together an agreed position so that this reference can go ahead in line with the normal processes of the Parliament.

This reference concerning the issue of the provision of accommodation for people in our community with a disability is too important and critical to be compromised by party politics, and I am very disappointed that has happened. I hope it is not a road we are going to increasingly go down, because there is a different number system in the upper house and that could happen.

I would like to go back in history a little bit. I have a disabled relative who was born about 35 years ago, when there were very few services in place. My family was advised to put her in an institution and leave her there. That was not advice that we took, and now she is a wonderful young woman with children of her own living a very productive life. Later the Cain-Kirner government did put systems and services in place for people with a disability. As has been mentioned by some other speakers here, those services were later cut by the Kennett government. In fact I think there was a 10 per cent across-the-board budget cut in these services. That government also defunded advocacy services, and 14 disability advocacy centres were closed, silencing the disabled community. It is one thing to stand here now and say that we care and that this is what we want to do, but history tells a different story, and history usually ends up repeating itself.

We have a different view. We have put money where our mouths are. I would also like to pay tribute here today to Noel Pullen, a former member for Higinbotham Province in the upper house, who had a passion for service to those with a disability in our community. Noel and I had many meetings together with disability service providers and many families. He had a great level of interest and put a great amount of time into it. It was very interesting for me to meet all the families that worked so hard for their children. As part of that passion of Noel's, we also went to the opening of many CRUs (community residential units) in our electorate that were wonderful to visit and see. That is where money goes, and that is why money is important, because it can buy these services.

In particular I recall meeting a woman called Hilda Logan, whose son was resident at Kew Cottages. She fought passionately for her son for many years. He

moved from Kew Cottages to a CRU. She was very concerned about that move. She came into my office just before the end of last year to say that she was in poor health but her son had settled in so well that now, even with her poor health, she could be comforted that he will be cared for after she has gone. Once again, that is where money goes and that is what it is used for.

I would like to pay credit today to the former minister, Sherryl Garbutt, for all the wonderful work she did on behalf of people with a disability, and to Steve Bracks, who headed the government who put those things in place. Many parents of people with a mental or physical disability and many of those people themselves are concerned about this issue, and it is a very important issue for us to address. Finally, I find it hard to believe that those on the other side of the house, and particularly the member for Doncaster, say that money does not matter.

Ms Wooldridge — That is not what I said.

Ms MUNT — That is what you said. It is crucial. Money is crucial. Money buys the services that are put in place. You cut money and you cut services. If you have a commitment to good public policy, you must put your money where your mouth is. Opposition members just do not get it. They did not get it in the last Kennett government, and they still do not get it now. We do get it? We put those services in place. The current minister is still working towards the things that we still want to do, and that is what this reference is all about. The amendment is not. It has been a great pleasure to stand here and speak in support of this committee reference, and I commend it to the house.

Mrs FYFFE (Evelyn) — I am pleased to speak on this supported accommodation motion and the terms of reference before us. There are two sets of terms of reference. I am pleased that the minister is in the house, because I believe she has good intent and wants to do what is right for these people who are dependent on us. Comment has been made about what the best public policy framework is. There has also been much comment about the amount of money spent. The argument from this side is not about the dollars; it is about whether we are spending it properly. Any process should be subjected to rigorous examination, and an all-party committee is the best way to do that within this framework.

I have served on all-party committees. In fact, Acting Speaker, you were the chair of one of them. We were on an investigation into fishing charters. We had very interesting debates, and through those debates we all came to the same answers and made the same

recommendations. That is what I was hoping would happen with this — that the most vulnerable people in our society would be looked after properly and that their carers and parents would know that this government really intends to do the right thing by them by measuring what it is that they are doing and measuring the services available.

Things have changed so much over the years in the caring of people with disabilities. Gone are the days when the large extended family took its share of caring for and looking after someone with mental disabilities and physical disabilities. All of us as members of Parliament have constituents who come to us and who are worried because they are elderly, they are caring for someone who is middle aged and they are very concerned as to what is going to happen.

The day after New Year's Day I had a tragic case referred to me. A lady — fortunately — managed to get hold of my home phone number through another agency and called me in great distress. Her aunt, aged 45, is quite severely mentally disabled. Her mother, who was the aunt's prime carer, had died six years before. Applications had been made for the aunt to go into permanent care — six years before! Her father was looking after her. Her father, now at the age of 80, was diagnosed with terminal cancer the day before Christmas and had a very short time to live. The family was in distress. Pressure was being put onto the extended family members to take their relative into their care. Today's lifestyle, where both parents work and children are involved in many activities, often does not permit that to happen. They were racked by guilt because they had this much-loved aunt and a very-much-loved father and grandfather who both needed care. They were going through the grief of knowing they were going to lose their father and grandfather and also the panic of not knowing what would happen to this woman in her mid-40s.

It took two or three weeks, but fortunately the member for Doncaster, who is the shadow minister, was able to help me. We were able to bring pressure to bear, and that issue has now been resolved. I had a horrible guilty feeling because the pressure put on by me and the shadow minister to help find a home for this lady — a well-deserved home — meant that someone else would slip down the list and that one of the 1300 people on the government's own register would be put one step down because of the emergency of this situation.

We had another situation where four ladies who had been living together in a house in Mooroolbark were under a very real threat of being split up. They had been living together for a number of years, and that was their

family unit. We managed to prevent that happening. They have been moved together, and they are staying together as a family unit.

We have the need for good care and strong care, where people need hourly care, and then we have the need for care where people are going out and attending other activities. The terms of reference proposed by the member for Doncaster expand on the minister's own reference. I reiterate that I do believe the minister is trying to do the right thing by these people under her care — I have no hesitation in saying to the minister that they are under her care as the minister responsible — and that there is and has been extra money going in, but the number of people needing care has been increasing. We can look at the effects of marijuana and other drugs and the damage they are causing. We know about this; we experience it. Our doors are open to the public, and we hear day after day in our electorate offices about people needing extreme care, whether it be permanent care, whether it be temporary care, whether it be full-time care or hostel care, or whether it be care in a home where they are living as a family with other people and with carers.

We need to look at what we are doing. Are we doing it in the right way? With times changing, with demands changing, with parents getting older and without the extended families, we must have the courage to actually subject the way we are caring for these people to a vigorous examination by an all-party committee. I know these committees do a lot of good work, as I have been involved with them in the past and am now involved in another one, and I do not understand the reluctance on the government side. This is not political. This is about caring for the people who need the care.

In the village where I lived when I was growing up anyone who had a major disability was usually cared for by the whole village. Village members would advise the family that so-and-so was wandering and all those sorts of things. They would help each other. We do not have that system any more. Those systems have long gone, as has the system of the large institutions, which did not work either. But we do need care. We need care so that medication can be supplied and administered properly, and we need care so that people can be taken on outings and live full and satisfying lives.

The wonderful Melba Support Services is in my electorate, and the work it does with the people in its care are absolutely amazing — often on the smell of an oily rag. It brings in an independent person each year to evaluate the services it offers to see whether they are the right services for its clients at that time.

This issue should not be based on the attitude that, 'This is what we are doing. If we change it because the opposition has suggested, it will be wrong'. This is not political; it is about doing what is best for people with disabilities, mental and physical, and for their carers who love them dearly but find it impossible to care for them 24/7.

Mr BROOKS (Bundoora) — I rise in support of the government motion for a reference to the Family and Community Development Committee, and in talking to the reference I think it is important to look at the wording of the terms of reference and to realise that it is a fairly broad reference and quite a generous one, as previous government speakers have mentioned.

In relation to supported accommodation for Victorians with a disability or a mental illness, the committee will be looking at the standard and at the range of accommodation currently available, which is a fairly broad area for the committee to look at. It will look at the extent of accommodation and services currently available, including the different models of service delivery and funding, which is again a very broad area. It will also look at the methods for measuring unmet demand for accommodation and how this can be improved; the process for managing service quality, which is something I have heard members of the opposition talk about, and that is picked up in the government reference; the availability of sufficient accommodation to meet future demand with an appropriate range of services; access issues for particular groups, including people in rural and regional communities, culturally and linguistically diverse communities and indigenous Australians; and the impact on families of the current service provision of accommodation, and that again has been an issue I have heard members raise in the debate today.

It is important at the outset of this debate to set the scene for the amendment that the opposition has put forward. I understand the Minister for Health sought to come to an agreement with the shadow minister, the member for Doncaster, about wording for an appropriate reference for this committee so that it can move forward in a bipartisan way; but that was knocked back. The coalition has knocked that back because this is a political issue. It wanted to have the reference that it moved in another place put forward. It is important for members of the opposition to understand why members on this side of the house do not think the opposition has any credibility when it comes to disability services. They need to remember that the person who put the reference forward in the other place — David Davis, the Leader of the Opposition in the other place — was part of the former

Kennett government that cut community service funding by 10 per cent.

Mrs Fyffe interjected.

Mr BROOKS — You are members of the same party which, as part of a coalition at the federal level, ripped over \$1 billion out of the federal-state housing agreement. It is easy for members of the opposition to come in here now and ask for inquiries into housing and support for certain people, but when it comes to making decisions in levels of government, its track record speaks for itself.

Members of the Brumby government are well aware of the challenges facing people with a disability and their families, and that is why we have seen funding increase by 87 per cent since the election of a Labor government. This current budget includes funding of over half a billion dollars for residential accommodation support. In addition, in 2007 the government funded the following initiatives: \$70 million over four years for a range of personal flexible accommodation packages, and about 1300 people with a disability will receive those; \$10 million to develop additional supported accommodation models for up to 75 people who need support; \$13 million to expand respite services; an additional \$16 million to continue the initiative for older people caring for someone with a disability, and I am sure many members have had people in their electorates raise the issue of people who are getting older who are looking after disabled children, which is a very important challenge that the government is tackling; \$15 million for the second stage of the Brumby government's program to refurbish or replace non-government sector managed community residential units and equipment; and of course a whole range of other funded programs.

In Victoria there are in excess of 6500 beds provided and across 200 facilities in Victoria in supported residential services. The Brumby government has made a commitment to supporting these supported residential services — allocating \$40 million over five years — which support vulnerable Victorians.

The government has already doubled the budget for the community visitor program, which we have heard members talk about as being a very valuable service in terms of raising the issues that the government needs to take into account. Unlike our predecessors, this government listens to the community visitors, it does not seek to silence its critics as the previous government did.

In terms of the opposition's record in government, it is interesting to look back through some of the media coverage of its reign of terror in disability services; and that is exactly what it was. An article in the *Age* of 16 April 1997 under the heading 'Funding threat to disabled services' states:

Hundreds of disabled Victorians could lose basic services after 30 June because of a proposed \$15.5 million cut in commonwealth funding. The state Minister for Community Services —

who was here for a couple of seconds during this debate —

... Dr Denis Napthine, warned yesterday that Victoria and other states would have to abandon some services to the disabled if the 'unworkable' commonwealth cuts went ahead.

They were going to walk away from services, and as we know now, they did walk away from disability services.

An article in the *Age* of 12 May 1997 under the heading 'Disabled services face funding crisis' refers to the fact that when the coalition federal government cut funding to the state disability agreement, the Victorian government rolled over.

An article in the *Herald Sun* of 27 February 1998 under the heading 'Disabled lose battle for extra funds' states:

Disabled people yesterday lost their year-long battle for extra money after Victoria secretly agreed to a federal funding deal.

State community services minister Denis Napthine conceded the agreement meant virtually no extra funds for Victorian disabled services.

The list of these stories about how the coalition government just sat by and let disabled Victorians suffer is disgraceful.

An article in the *Age* of 26 June 1997 under the heading 'State slashes disabled funds' states:

Fourteen information services for disabled people and their families are expected to close within two months because of state government funding cuts.

At least 24 jobs are likely to be lost across the state as a result of the \$651 000 cuts. Most of the agencies affected are based in rural areas.

Again, the then National Party was obviously standing up for its rural constituencies. The quote from the then Minister for Youth and Community Services is a classic, and the article further states that the then minister:

... Dr Denis Napthine, said yesterday that the changes would take advocacy and information services into the 21st century.

It is easy to see the contempt with which the opposition treated disability services when it was in government at a state level, and recently at the federal level. That is exactly why it has no credibility when it comes to these motions. I am very proud to support the wide-ranging motion moved by the minister.

Mrs VICTORIA (Bayswater) — Thank you, Acting Speaker — —

Mr Burgess — And a wonderful member she is!

Mrs VICTORIA — And thank you to those in the chamber. I support the initiation of an inquiry by the Family and Community Development Committee into supported accommodation in Victoria. This is an incredibly important issue and it is certainly one that my office is aware of due to the number of people who come in through the office door, contact us by telephone or get in touch with us by mail. It seems to be an ever-growing issue, and it is very timely that we should now call for this type of inquiry into the services available for those with a disability or a mental illness.

There is obviously some pressure from the opposition on the Minister for Community Services to initiate this type of review. A partial review was in fact initiated, and even though that is a good start it certainly does not go far enough. I do not think any members, certainly not on our side of the house, will disagree that supported accommodation in Victoria is in crisis. If you talk to anybody with a family member who needs care they will also agree that we are indeed in crisis. We desperately need to ascertain the current status of the facilities that are available, as well as the needs of the people who want to use those facilities, but also the staffing levels. That is a crucial thing because obviously we do not want to just put people into supported accommodation and not have adequate numbers of staff or adequately trained staff.

It is very important for us to assess all facilities housing clients that fit into the categories we are talking about and not just the mainstream housing facilities that are available. There are not enough and so people go to lots of different types of facilities, not just the ones that most people have been talking about today. There has been an underinvestment. I know we have talked about an increase in investment, but it is still an underinvestment and I do not believe it is necessarily being managed very well.

Many people with severe mental illness or disability are denied accommodation that meets their care needs, and that is leaving families desperate. I have had quite a few families in through the door who have come to me and

said that their lives are being totally ruined by the fact that there are not enough places available and not enough facilities. I am not just talking about long-term facilities but also short-term respite, and I will return to that in a minute.

The impact of the current system on families is obviously now going to be, thankfully, part of the review, and I am very pleased that the minister now agrees with this point because I think you cannot look at this type of situation without looking at the human side of anything. There is a very heavy burden on unpaid carers in this area, and the extended ongoing extent of the toll on the families must be taken into consideration. As I said, I am delighted that this is part of it.

I said I would give some examples of people who have come to see me about these types of situations, and probably the most recent and certainly one of the most disturbing came to me from the uncle of a man called Ben. Ben is in his mid-20s and his uncle is a resident in my electorate. His uncle is a very good hardworking community man. He runs the local Neighbourhood Watch, scrubs off graffiti and does all of that sort of thing. He is a very caring man. He came to my office and said, 'Heidi, I do not know what to do. My brother has a disabled son, and he is very worried about where he will be later in life, as my brother grows older', and he said, 'I am getting to the stage where I am so frustrated with the system that I feel like putting Ben and myself into a car and driving off a bridge'. He actually talked of a murder-suicide. I find that most unsettling, most disturbing, and his entire point was, 'The future for Ben is uncertain. What if something happens to me? He has nobody else, what do I do?'

He has come up with a proposal. He wants to get together four families — he would, of course, be one — of severely disabled adult children to chip in to fund a purpose-built house for accommodation so that they would be assured a placement there for the rest of their lives.

One of the problems is that if the main carer dies, a place can generally be found but it could be anywhere within the state. That is troubling if there are surviving siblings, family or neighbourhood friends that the person has had constant contact with. Many people who require support also want a lot of stability in their lives. If you take them out of their neighbourhood, or if you take them away from their friends, then things start going a little odd in their life, so we need to keep some sort of consistency. I know we cannot have supported units on every corner, but we do need to try to keep people within the area from which they come.

If the main carer dies, the situation can be dealt with, but what happens if the main carer becomes ill and there is not enough accommodation to put the person into straightaway? The four families are talking about chipping in half a million dollars each. As they have said to me, 'It is okay; we can afford this, but we are so desperate. We know this is extreme'. We are talking about half a million dollars per family. It is extreme, but it is an indication of how willing they are to secure the future of their children. What they want out of life for their kids is basically for them to live independently, but with full support so that they are able to reach their full potential as adults — and I do not think any parent would want anything different. When we are talking about families willing to cough up half a million dollars — and again they are very lucky that they are able to — we know there is something very wrong with the system.

We need to investigate both the availability of sufficient accommodation to meet this further demand, and also, as I said, the impact on families of the current service provision of accommodation. My examples show what is going on at the moment.

Four lovely ladies also came to visit me. It would be fair to say they are all getting towards their middle age. Jeanette, Wendy, Roseanne and MaryAnn came to me with a similar story. However, they do not have the funds to provide half a million dollars each to ensure a bright and rosy future for their children. Wendy has had one, four-night holiday in the last 13 years — one holiday! She booked a four-night holiday down at Venus Bay, and it was so difficult taking her daughter with her that they lasted two nights. She has had two nights away in the last 13 years. She cannot get long-term care; she cannot even get respite care. Jeanette had her last holiday six years ago, and Roseanne said she only gets a holiday if her daughter goes to camp, and that is for a maximum of four days. They cannot do anything; they cannot plan to go anywhere.

The only area for respite in my part of the world is in Philip Street, Heathmont, where there are five beds plus an emergency bed. Two of those beds are currently taken up by permanent residents. They are supposed to be for respite care, but as there is not enough room elsewhere two of those beds are being taken up by permanent residents. The really sad thing is that at least one person was taken there for respite care and the parents never came back to collect them. They were so desperate that they took their child in under the false pretence of respite and then left them behind. I think that is probably one of the hardest things a parent could ever decide to do. We are talking about adult children.

The parents are fed up; they need additional care and support, and they are just not getting it. It would certainly relieve some of the stress if there were more respite care, and then perhaps we would not need to see so many people going into full-time care. I hope that is one thing the inquiry looks into.

What we really need here is a holistic approach, and it will only happen be through having an inquiry like this, as was outlined by the shadow Minister for Mental Health, who is also the shadow Minister for Community Services. Labor's proposal does not provide a mechanism for the generation of ideas. It does not go far enough. Vulnerable Victorians deserve much better than what this government has been prepared to offer them.

Mr STENSHOLT (Burwood) — I am happy to support the reference to the Family and Community Development Committee of supported accommodation for Victorians with a disability or a mental illness. This is an issue of concern to many in my electorate. I have met with many families who have a member with a disability, whether mild or severe, although of course with supported accommodation you are normally talking about disabilities at the severe end.

I was at a special school just the other day handing out the badges. I shared a delightful assembly with the students, teachers and families. There are real issues impacting on those families. I have also met with parents of severely disabled young adults, who have to deal with transition issues such as what support programs are available to them when their children go from a special school and become young adults and what it means for these young adults to look for longer term accommodation, particularly accommodation in which they can play a role themselves by being part of a household.

These families have made representations to me, and I have followed them up with ministers and with the Department of Human Services, particularly in the eastern region. I should say that the Department of Human Services in the eastern metropolitan region, with John Leatherland as the regional director, does a very good job. John and I have worked together on many issues. I have found him to be a very humane person, and I have the utmost regard for him. Of course, he and I share a disability; we are both hearing impaired. When you have a disability it helps you to understand the problems faced by others with a disability.

I know members of this house are also empathetic. We have had speeches from both sides of the house in that

regard. We are out there trying to find suitable resources to meet the special needs of individuals. We are dealing with disabled people or people with mental illnesses, and they are all different. Some of us are disabled, but there are also disabled people among the members of our families or among our close friends. There is usually just 1 degree of separation between us, particularly as members of Parliament, and someone with a disability or mental illness. They come through our doors in various ways.

People with mental health issues have approached me, and I have been to their meetings. I go quite willingly to the meetings and engage with these people, whether it be an Association of Relatives and Friends of the Mentally Ill meeting or meetings of other groups like that, in order to understand what is going on. I remember one of my first experiences as a parliamentarian. A group of parents with disabled children came to me and said, 'Look, we have suffered for many years and we really need some help in terms of respite'. I have helped people deal with respite care and also helped by trying to get services and supported accommodation. I am not alone in this among members of Parliament. I am sure all members have had similar experiences, because we are here to help in our communities, and in particular we are here to help the vulnerable.

There is always more to do and we understand that, particularly as we better understand disabilities. I remember being told that the number of children at school with a disability was just under 3 per cent. I am pretty sure that a good case can be made for there being around 4 per cent to 5 per cent of children with some kind of disability, whether it is a mild or more severe disability.

We understand better what we can do to support people with disabilities than we did a number of years ago. I favour any inquiry into disability and accommodation needs. I also support the notion of any inquiry being bipartisan. Our aim should be to help people and not just to score cheap political points. Nor should it be, for example, a mechanism for developing my election policy, because I do not have one. It should be couched in neutral language and look at the issues. We should understand what is happening and should always try to better understand what is happening in a particular sector, and indeed then look at what can be done. It is always pleasing to understand and to see what has been happening.

I have been to Kew Cottages a few times, and I have also been to some of the new community residential units that have been opened. The residents have a better

life now; their situation is better understood than it was. I am particularly pleased that in the case of the Kew Cottages the money generated there from the sale of the land and the redevelopment is being directed into supported accommodation for people with disabilities. I recall visiting one of these places, where a severely disabled woman was for the first time involved as part of a household. She could not speak and had severe physical disabilities, but she was there trying to help with the vegetables. It was the first time she had actually done anything, that she had been accepted as part of a household. Instead of being a vegetable sitting in the corner she was part of that group preparing the vegetables. That situation is a world of difference for that person.

As other members on this side have said, there is a world of difference between this government and the last — this government has introduced the new Disability Act and of course the A Fairer Victoria policy. I could spend a lot of time talking about it. We introduced A Fairer Victoria in 2005. We refurbished and renewed 20 shared supported accommodation facilities and provided 27 replacement facilities at a cost of \$39.5 million. In 2005 the government committed \$12.3 million over four years to create 565 new respite breaks for people with a disability. In 2006 a further \$67.3 million over four years was committed to services and accessibility for people with a disability. There was \$20.8 million dedicated to young people in nursing homes and \$5 million was dedicated to a community facility redevelopment. The government implemented the Disability Act 2006, expanded adult, child and adolescent community mental health services to support an extra 460 clients, and of course in 2007, in the last budget, it committed \$520 million under A Fairer Victoria for residential accommodation support. More importantly it committed an extra \$20.4 million to new opportunities for people with disabilities.

There is quite a range of programs, and my colleagues have mentioned some of them. Very positive actions have been taken, such as the commitment of \$70 million over four years for a range of flexible personal accommodation support packages, not just for one or two people but for 1300 people with a disability, and \$10 million to develop additional supported accommodation models for up to 75 people. There is a lot happening, and there is a lot to happen.

Another \$15 million was allocated in the last budget for the second stage of the program to refurbish and replace non-government-sector-managed community residential units and equipment. There are a number of

these in my electorate. I will not bother to describe them all in great detail. We know they exist.

We know things are happening. We know there are a lot of packages out there. We know there are always things that we can do. This is the quest of human nature — continuous improvement. The Brumby government does not shy away from that. It always says there is more to do — and there are always things I am sure human nature and human endeavour can enable us to do better. I hope the bipartisan approach on this reference will achieve that for the good of the people we are here to serve rather than for short-term political purposes.

Mr CRISP (Mildura) — The motion before the house has two parts. I will speak for a short time on the first part, which is new terms of reference for the Economic Development and Infrastructure Committee. Although the reference is welcome it comes about because we have had another reference on the books for a long time, which we are not making progress on. That first reference is to look at the competitive advantages in Victoria's financial services sector to maintain its growth, maximise employment opportunities from the sector's further expansion and ensure the benefit of the sector's growth and operation are shared across the state. We have a problem with that reference, and the Minister for Industry and Trade in the other place has not come forward to assist us.

The second part of the motion relates to the Family and Community Development Committee. Supported accommodation is certainly an area in which we have considerable interest, and it is one that is of sensitivity to the community. The inquiry needs to have a comprehensive reference; it is the only way to address the issue. In my electorate of Mildura there are no community care units. What is required there is a step-up, step-down facility that provides maximum intensity and minimum intensity support, including counselling and assistance with medication, that is aimed at getting those affected to live by themselves or to re-enter the family environment. A step-up, step-down facility would allow graduated discharge in Mildura, as there is no community care unit to provide for longer term patients making that transition.

Bricks and mortar as well as qualified staff are required. There are service providers in Mildura who can assist with these, such as Mallee Family Care, Mildura Mental Health and the Mildura Base Hospital's mental health services. These and other organisations should be given the opportunity to contribute to the solutions. There are pathway programs in our area run by Loddon Mallee Housing Services and the Mallee

accommodation support program, which are reputable organisations that have concerns and would like to make a contribution. Country Victorians with a mental illness deserve better, and only a comprehensive inquiry will ensure that they get what they deserve. That is why we are supporting the amendment.

Then there are the families of the disabled. Caring for the disabled has become a considerable burden for a large number of people who are ageing, and supporting and making sure that disabled children are cared for beyond the death of their parents is one of the more difficult areas that I have had to deal with in my time as a parliamentarian. There will be an increased need for these services, and only a comprehensive and complete review will enable all of these solutions for all of these families to come forward. Country Victorians deserve better. A comprehensive inquiry will ensure they get what they need and that things can be moved forward. I wish to say that we strongly support the amendment to make this a comprehensive inquiry.

Mr NARDELLA (Melton) — The member for Doncaster — and I listened to the totality of her speech — actually made an appalling speech. I expected more from her. The previous esteemed member for Doncaster, the Honourable Victor Perton, would not have been duped into putting this David Davis special before this house. It is the only work that Mr Davis has ever done other than making sure he has the numbers to get himself into a leadership position.

The member for Doncaster does not understand her area of responsibility, which is critical to this debate. For example, she said she does not care about the money put into supported residential services. What an extraordinary statement. She does not care about the increases in funding — that is, for refurbishments, new CRUs (community residential units), supported residential services upgrades and increased support services to maintain these services in the community. She has no real care; it is just about political point-scoring.

Then she said there have been no CRUs or supported residential services established in the term of this government.

Ms Wooldridge interjected.

Mr NARDELLA — That is what she said; I heard her. It is an absolute untruth. It shows she has absolutely no understanding of her shadow portfolio, because that statement is untrue. Again it is about scoring political points when she knows the truth is different.

I will give some local examples. A new PARC (prevention and recovery care) facility is being established in Deer Park. There are new CRUs in Melton, Caroline Springs and Bacchus Marsh. I know because I fought people to make sure those CRUs were established. The difficulty for any government is that people oppose CRUs being established in their neighbourhoods — and we have had these difficulties, unlike the previous Kennett government that did not put resources into these services. That they have been established decimates her position in this house.

She has amnesia because they have just found the community visitors reports. I remember the debates, the questions without notice and on notice to the Honourable Rob Knowles, then the Minister for Aged Care, when I was in the upper house and the community visitors' reports were presented under the Kennett government. It did not care and did not put any resources into the sector. I remember the 10 per cent right-off-the-top cut to all human services in 1993. Where was the honourable member for Doncaster? She was in the party and urging them on, saying, 'Cut more and deeper — and make sure that the services do not get funded properly'. Then she has the gall to come in here and feign concern about these issues. In actual fact she is far from concerned.

The other extraordinary statement by the member for Doncaster is that we should not be looking at what is occurring in this area in other jurisdictions and elsewhere. Again, what an extraordinary statement for the honourable member to make to this house! How are we supposed to look at better models and better ways of doing the things we need to do if we cannot go and see them? That is to say the parliamentary committee should actually be hamstrung, so to speak, with its hands behind its back and the blindfold on so that it cannot look at these facilities. She says that we have to have new ideas without exploring what those new ideas are. She has no understanding of how the parliamentary committee system operates.

If you compare the two motions — the government motion and the David Davis motion, which as now been put before this house as an amendment by the member for Doncaster — you see that the latter is all over the place. It includes psychiatric treatment, it is hastily put together, it is repetitive and it duplicates matters. For example, the first three points are all the same and they can be and have been incorporated as point 1 in the government's motion. The government's motion is clearer and more succinct. It is broad and clear enough to allow the committee to hear evidence on all matters raised by the opposition.

If the honourable member for Doncaster and the Liberal-National coalition were really concerned about this issue, they should have acknowledged that they have raised the issue. I acknowledge that the opposition has raised this issue — the upper house motion was a catalyst for this government motion. I acknowledge that to the house. If the coalition acknowledged that, then rather than political point-scoring it would join with the government to support the parliamentary committee in doing its work. It would assist individual people, families and organisations to put their case to the parliamentary committee. But no, the honourable member for Doncaster wants to pontificate and score political points instead of really doing the hard work. She wants to be out there as the champion, the hero, the guru in this area instead of doing the hard work. Hard work is something that the Liberal-National coalition has great difficulty in doing. That is why this amendment will not be supported by the government. I urge all honourable members to support the motion before the house.

Mr NORTHE (Morwell) — It gives me pleasure to contribute to the debate on the notice of motion by the Leader of the House on the terms of reference for the Family and Community Development Committee. Firstly I would like to acknowledge the great work of the member for Doncaster in proposing the amendments to the motion before us today. We have compared the two different terms of reference, and Labor's terms of reference are a little bit narrow for our liking. The member for Doncaster has consulted with various groups throughout Victoria, and they are very pleased with the detail in the terms of reference she has come up with.

The minister in her contribution to the debate made reference to the disability support register. The latest statistics we have on that — December 2007 — show that at the moment there are 1368 requests for disability services supported accommodation options. There are 1326 people on the waiting list for support to live in the community, and for daytime activities the figure is 378. If you add those figures together you find there are over 3000 people waiting on the government's own register at the moment. But of course there are many more than that, and as we know there are many families out there caring for children with disabilities.

I do not want to politicise the debate we are having today because it is a very important issue that all of us in this house should take seriously. We should consider bipartisan support for a full inquiry by the Family and Community Development Committee to ensure that families who are caring for persons with disabilities

have a voice and a really positive outcome. I believe that can be achieved.

As many on this side of the house have said, the terms of reference for the committee proposed by the member for Doncaster represent a much more comprehensive and holistic approach. One aspect of that is recognising that families should have a say. The minister during her address said that some changes had been made to the initial terms of reference to include family in the second draft, and overall it is important that families do have a say.

Many members of this house would be familiar with the Gippsland Carers Association and Jean Tops, and I am sure many of us have had correspondence with her over the years. Jean has been a very vocal supporter of improving disability services, improving the standard of accommodation available for those with disabilities and ensuring that carers are well catered for into the future. She has done this for many years as a single mother caring for a daughter who I believe would now be in her late 30s or early 40s. Jean has done this as a labour of love, and we have heard many similar stories in this house. She has been very active in lobbying politicians over a long period of time for one goal, and that is to improve conditions for those who have children with disabilities and all the problems that come with that. She has also advocated for carers over a long period.

I have received some correspondence from Jean in her role of president of the Gippsland Carers Association, and she has fully endorsed the member for Doncaster's proposed terms of reference for the committee. I know that the member for Narracan alluded to that fact earlier. Jean says in part:

Such an inquiry is long overdue as successive governments have failed to address the urgent unmet needs and undermet needs of people with dependent disabilities and their families to have access to supported accommodation and personal care support services.

I am here to say today that all governments should take responsibility for addressing this serious problem. We should go past playing the blame game because it is too important an issue, and we should collectively work towards a better outcome. The statistics that the Gippsland Carers Association have provided to me state that family carers provide over 92 per cent of all supported accommodation across the state and the nation. When you think about it that is quite amazing. In a lot of situations there are elderly parents caring for adult disabled children. It has been mentioned previously by a number of speakers that many elderly parents are fearful of dying and leaving their children

with nowhere to go. That is an issue we need to address.

According to the Gippsland Carers Association there are 176 652 persons with a severe or profound disability, of whom only 5073 have a funded accommodation service in a community residential unit, hostel or large congregate setting. If you do your maths, you see that that is in excess of 171 000 persons who do not have government-funded accommodation. It is quite amazing when you think of it that way. I acknowledge the funding the government has provided but, as has been indicated on this side of the house, we do not appear to be getting the results we would like. The same issues and the same impediments keep arising, so it is important that through the proposed terms of reference the Family and Community Development Committee be able to provide some great recommendations for the government and in doing so give the families and those with disabilities a voice.

It has also been pointed out by the carers association that 13 900 adults aged 35 years and older with a dependent disability are still living with ageing parent carers. Again, that is an amazing statistic when you think about it. Many of those adults are a part of loving families who do not mind having a child with a disability at home, but there are many other families who just cannot care for their adult children. We have heard during this debate that there are parents who, due to the physicality of their adult children, are not able to manoeuvre them around and care for them. They need help in finding accommodation for them.

I want to give one last quote from the correspondence from the Gippsland Carers Association. Jean Tops says:

This parliamentary inquiry into disability and mental illness accommodation services deserves to have bipartisan and indeed multipartisan support. Unless we as a society are prepared to take care of our least citizens, then we have little hope of building a society that is family friendly and safe for all.

I want to refer quickly to a member's statement I made in July last year in which I referred to a waiting list with over 3000 people on it. I also asked what the situation was at the time with regard to the commonwealth state/territory disability agreement. The commonwealth government had come to the states happy to improve disability services provided there was dollar-for-dollar funding from the states, but this government walked away from that. It is interesting to see what that situation is at the moment. I understand the Auditor-General is preparing a report on housing accommodation and support for persons with disabilities. It will be interesting to see the outcome of

that. The terms of reference are very narrow, but they might go some way to assisting this committee with the proposed terms of reference.

We all have various experiences through knowing people who have disabilities. Through our roles as parliamentarians we have people coming to our offices and relating their experiences, some of which are really sad. If we have bipartisan support, we have an opportunity here to send some good terms of reference to this committee and get some great outcomes. I acknowledge that the minister's intent is noble. The member for Melton said a few minutes ago that because these terms were proposed by the Liberal Party in the upper house a couple of weeks ago the government has jumped on board, and that is fine.

The amendment proposed by the member for Doncaster should be seriously considered by all members of this chamber. If you asked the simple question of members of the Gippsland Carers Association or any of those who are living with this day in and day out whether they would give us the terms of reference proposed by the government or those proposed by the member for Doncaster, we know what the answer would be because we have in writing their adulation of the terms of reference proposed by the member for Doncaster. Everybody in this house should support the amendment, as do the people living the experiences day in and day out. It is time we all supported their endeavours.

Mr INGRAM (Gippsland East) — I would like to start with a great comment on politics: the art of politics is searching for problems; when you search, you find them everywhere; and when you investigate them, you find all the wrong solutions and apply all the wrong remedies. Having been involved as a member of a number of committees, I know that one of the worst things we do too often in this place is politicise the committee system. The first thing we do about investigations into extremely important matters is provide a reference that is designed to be political, and then we debate the issue in this chamber. That is one of the more important things we do as members of Parliament when, for example, we get representations from people with disabilities who need to find supported accommodation.

One of the most incredibly moving things I have done was connected to a campaign to provide appropriate care for young people with an acquired brain injury, when I dealt with those individuals. The only supported accommodation they currently have is in aged care, which is inappropriate. There is very limited appropriate accommodation for them anywhere. That is

a really serious issue, and I think everyone in this place would acknowledge that.

Having been in this place for a number of years one knows that most of the time, as a member of the opposition or even as an Independent, we put motions forward as much as anything to point out the error of the government's ways. I have been involved in committees where we first debated the motion before the committee. Often there has been an enormous amount of debate about the appropriateness of the references that the Parliament or the government provide to us. It is unfortunate that important issues seem to be dealt with in a political way. I agree with the member for Morwell that the only thing the community wants us to do is get out there and investigate this. This debate has taken nearly all afternoon, and it has been basically the consideration of a motion moved by the government. I understand why it has been done, and I understand why the amendment has been moved as well. It is a difficult issue.

I would like to speak particularly on the reference to the Family and Community Development Committee. I have gone through both the references, and understanding how references are treated by committees, my view is that the government's amended reference, if you like, is probably more appropriate in a couple of areas. The reason I say that is that in my view one of the things that does not appear to be in the amendment before the house or the motion moved by the Leader of the Opposition in the other place, David Davis, is the process for managing service quality. That is one of the issues that is incredibly important to the families of those with disabilities. It is not an issue that we should be treating lightly.

Once the reference leaves this chamber it will be dealt with thoroughly and properly by the Family and Community Development Committee, because it is an incredibly serious issue. I know that no matter where the committee goes around the state it will get good-quality evidence. I understand why this debate is occurring, but I think it is a disappointing start to addressing the reference that has been provided.

I have been to aged-care places where young people are accommodated and have seen the difficulty they have because they are surrounded by people not of their own age, vitality and desire to do different things, but they need the level of care provided in those facilities. The other issue that comes up very frequently is respite accommodation for young people with severe disabilities. Families try to keep those young people within the family environment because the best care is in that loving environment, but at times accommodation

is needed so families can take a break, and there is no-one else who has the capacity or experience to do so other than staff in professional accommodation.

This is a serious issue and one that should be dealt with by the committee. I am sure that the committee, if given the opportunity, will do a very good job. It is incumbent on the government to implement those findings when the recommendations come back to this Parliament, because there are some challenges. I will not be supporting the amendment. I believe the committee reference as put forward is probably a reasonable balance. I thank the Parliament for hearing my comments. It is important that the committee goes out to regional areas, because there are a lot of issues, and I think different issues, in some regional areas with challenges regarding accommodation for those with disabilities or mental illness.

One of the other issues that is raised quite often is the appropriateness of the mental health care that we get. The top end of people in need in my electorate are very well covered through the Flynn ward of the Latrobe Regional Hospital, but there are a lot of gaps in the provision of services. I support the motion before the house.

Mr THOMPSON (Sandringham) — The matter before the house traverses one of the most important issues that we as members of this place would confront as we liaise with our constituencies. The levels of care and support offered to those who suffer from a range of disabilities — physical, mental and psychiatric disabilities — are generally areas of profound concern not only for parents and siblings but also for the wider community. The matter more immediately before the chamber concerns whether we embark upon a parliamentary inquiry that has at the end of the process the prospect of providing a safety net that will protect some of the most vulnerable members of the community or whether we end up with a safety net that potentially has a number of holes in it for service delivery.

A number of years ago, in fact in the dying days of the Cain-Kirner administration, a Labor member attended a service club to give a talk on his work as a member of Parliament. Feelings of the members were running high in relation to high interest rates and high levels of unemployment, but the member made the remark that he found his most important parliamentary work was undertaken as a member of an all-party parliamentary committee. All-party parliamentary committees do have the opportunity to do some excellent work by way of taking the contributions of members of the public and experts in the field recorded by Hansard and then

distilling that information to produce a very effective report containing recommendations that provide a basis for enlightened government action. There is also scope to look at international best practice that can inform that debate.

There are a number of provisions that are being proposed by the shadow minister which would lend strength to the inquiry that has been referred to the Family and Community Development Committee, and I would just like to note them for the record. They include:

The adequacy and appropriateness of care and accommodation provided in various government, private and community facilities that accommodate clients with a disability or mental illness because of insufficient places in the specialist system, and in particular including supported residential services, boarding houses, public hospitals, nursing homes and SAAP funded services;

...

Estimates of future supported accommodation needs and the appropriateness and transparency of the government's management of demand and placement;

The government's response to unmet accommodation needs, including sources of funding, planning and delivery;

...

The appropriateness of the current mix of service providers, including government, private and community;

Given that the projected rate of population growth in Victoria is outstripping the supply of infrastructure and a number of other issues, it is relevant that the broad terms of reference proposed by the member for Doncaster be taken into account.

We all have our case studies within our electorates of areas of pressing need, and I would just like to narrate a few of them from mine. The first is the case of the mother of a 27-year-old daughter who at times has spent up to seven weeks in a psychiatric unit. The mother is distressed about the welfare of her daughter and believes urgent accommodation is required to stabilise her. The local police are prepared to take her to the psychiatric unit at Monash Medical Centre, but the unit suggests that it would turn her around in two days when what she requires is full-time care of the order of weeks rather than days or hours.

Then there is the matter that I raised in this place a number of years ago concerning a family in my electorate whose 39-year-old daughter had over a number of years been treated for schizophrenia, borderline personality disorder and mental depression. On one occasion she was admitted to the Monash Medical Centre and was kept on a hospital trolley for

70 hours in the emergency ward as there were no beds available in the Monash psychiatric unit or any other psychiatric unit in Victoria. At that time she had no access to a window, television or radio, with just the bare walls of the cubicle and later a small room to look at. Senior health professionals have described the current mental health system as collapsing. There are not enough beds to cope with demand.

On my understanding, as I noted earlier on, it is entirely inappropriate for a patient requiring psychiatric assistance to be detained on an emergency department trolley for three days in a room with no windows, radio or television, and just the bare walls of the unit to look at. Other issues which arose during this patient's care and treatment included her spending 20 hours in a Monash Medical Centre emergency ward on a broken and dangerous trolley and the unsuitability of her special accommodation, where the staff had no psychiatric training and were not briefed adequately by supporting psychiatric staff.

On another occasion this lady was discharged from the Monash Medical Centre when she been so heavily drugged she did not know where she was, was unable to walk without assistance and had difficulty even finding her own mouth to feed herself or to smoke cigarettes. If her parents had not intervened, she would have been returned to her accommodation, where there was no support. This was clearly dangerous at the time not only to herself but also to other residents at the special accommodation facility. That case illustrates the seriousness of the concern.

On another occasion a story was narrated by a person by the name of Colin McGill, who sustained a couple of medical disasters, the first of which left him severely handicapped and then, when he was struggling to get back on his feet, a second which left him permanently disabled. On both occasions he was advised that he would never resume his former occupation, but there were some interesting and dramatic developments in his life, which he recorded in a book he wrote. He said:

Most people in the nursing home system are unable to communicate with the outside world very effectively. I can, and this gives me the responsibility to speak for them.

At one point he received a Centenary Medal for his courage in trying to reform the system and for his contribution to the local community.

Then there was another case of a person who had written to me, a constituent grandparent, who was seriously concerned about the welfare of her daughter, and she noted on one occasion:

I write on behalf of my daughter ... who will shortly be a constituent in Elwood in the southern region in which my husband and I both currently reside. The circumstances of my daughter are desperate. My daughter adopted as a single mother a young man who is now 21 years old. He is autistic, has Downs syndrome and has learning difficulties.

My daughter has reached a point where she is no longer in a position to care for him under current arrangements. She has endeavoured to initiate a more appropriate level of support. The position is critical at the moment both for the welfare of my daughter and also for the grandson and I seek your intervention to achieve an outcome that is in the interests of all parties.

At the time I was seeking a meeting with the minister to try to establish where there would be accommodation options that would meet the needs of this young person with a range of disabilities, including, as I mentioned, Down syndrome, learning difficulties and autism. This lady was the mother of four adopted children. She was concerned for the welfare of the other children and hopeful that her son could be placed in an appropriate setting that would be in not only his best interests but also the best interests of other family members.

Then there is the example of a person who was seriously injured in a motor vehicle accident in his early life. He was a passenger in a car that was involved in an accident in 1978. He suffered severe head injuries and a fractured spine. He was in a coma for about 7 weeks and required 15 months in acute and rehabilitation hospitals. He suffered from epilepsy as a result of the accident. He spent four years in a nursing home at a time when there was a view held that he may have been capable of looking after himself in his own environment.

Certainly a nursing home where numbers of people suffered from dementia and were not capable of relating well to a young man was an inappropriate environment for a person in his late 30s to be placed. A subsequent journey saw him living independently for a number of years. In more recent times he has been placed in a home in Frankston, where there are people who suffer from schizophrenia. I understand that he may be reasonably heavily drugged and this particular setting may be regarded as not being in his best interests.

There are a multitude of examples in the real world. I think any parliamentary inquiry must take the best information available. It must inform itself through the contributions of all stakeholders so that the recommendations presented to government can deliver outcomes that will serve the community interest and, most importantly, the interests of those people who suffer from a range of conditions.

Ms BEATTIE (Yuroke) — I rise to support the motion as put to this house by the Leader of the House and moved by the Minister for Community Services. I feel well qualified to speak on this motion because I have served on several committees. I have served on the Family and Community Development Committee, the Law Reform Committee and on the Scrutiny of Acts and Regulations Committee. I have to say that it is one of the most satisfying aspects of Parliament. When I was on the Scrutiny of Acts and Regulations Committee I co-chaired a review of the Anzac Day laws with the Honourable Mark Birrell, a former member for East Yarra in the other place. It was very satisfying to see many of those recommendations taken up by the government. That review was carried out in a bipartisan way.

As I said, I have been a member of the Family and Community Development Committee. I have to say that it is most distressing to see the opposition now trying to manipulate the work of some committees so that they become political committees and not bipartisan committees.

I want to talk about a couple of aspects of the motion. The member for Morwell talked about the amendment moved by the honourable member for Doncaster being more comprehensive and holistic in its approach. I do not think the member has really looked at the amendment. What we have before the house is a motion. We also have a new opposition which has been divorced and remarried, divorced and remarried, and is now in its remarried form. Paragraph (f) of the motion moved by the Minister for Community Services talks about access and service issues for particular groups, including rural communities. The amendment moved by the member for Doncaster does not mention rural communities. Why have members of the former National Party not picked this up? In the government's motion we want to particularly look at rural communities and their access, but the amendment does not pick up on particularly looking at that.

I refer to indigenous Australians. We have just had the apology in the national Parliament, and yet I do not see any mention of indigenous Australians in the member for Doncaster's amendment. They have left them out for years. An apology has gone before the national Parliament and been supported by the great majority of Australians, and yet we see the coalition marginalising the indigenous community again. It is shameful. We still see through polls the judgement of the Australian people on the federal Liberal Party's position on marginalising indigenous Australians, and I am sure you will see it here.

We have done a lot in the disability sector. We have increased funding by a whopping 87 per cent since coming to office in 1999. The current budget provides \$525 million for residential accommodation support. I want to talk about a couple of the other government initiatives. We have provided \$70 million over four years for a range of flexible personal accommodation and support packages for 1300 people with a disability, and \$10 million to develop additional supported accommodation models for up to 75 people.

I could go on and just read statistics, but I will not. Honourable members in this place would know that one of the qualifications that I have to speak on this motion is a nephew who is profoundly disabled. Members will recall that I talked about his disabilities during the debate on the stem cell research bill. Just throwing money and statistics at people with profound disabilities does not resolve any of the issues. You have got to have a coordinated approach, you have got to have a systematic approach, and you have got to have a flexible approach. Each person with a disability has a different disability from other disabled people, and they need to be treated as individuals.

We hear people talking about working in a bipartisan fashion. I agree with that. In the past that has happened, but we do not see it happening anymore. I am really quite sad that the member for Doncaster has chosen to come in and parrot the words of David Davis, the Leader of the Opposition in the other place, and read slavishly from notes about a range of people with disabilities. I support the motion before the house. I do not support the amendment moved by the member for Doncaster. I cannot support the amendment because it marginalises the indigenous community. It strikes out the words 'indigenous Australians', and in this current climate we can see that the opposition parties have not learnt anything. They have had a hasty marriage, and they are not concerned about each other's backgrounds. We see their members coming in and parroting the words of David Davis, which I would have thought was an extremely dangerous thing to do.

I do not support the amendment. I support a range of options which will deliver for people like my nephew.

Mr DELAHUNTY (Lowan) — I cannot let pass comments made by the member for Yuroke. My understanding of this reference that is going to the Family and Community Development Committee is that these words — the amendment put forward by the member for Doncaster — were first tabled in the upper house two weeks ago. Let us put it on the record that the government is playing catch-up on this issue. The member for Yuroke spoke about the fact that the

amendment is more comprehensive. That is the reason why I am going to support it, because I believe the government's motion is far narrower. I am very disappointed that the member for Yuroke does not seem to have read the amendment moved by the member for Doncaster. Point (7) says:

the ability of country Victorians to access supported accommodation ...

That is already listed there. The amendment also refers to culturally diverse people. There are other matters listed there. It is a very comprehensive reference and far more comprehensive than the Labor government's reference. Again the government is playing catch-up. It has got it wrong, and that is why I will be supporting the amendment. I do not want to get too political about it, because this is a very tough issue to resolve. It is an issue that we all have great sympathy for, and I compliment the member for Burwood on his compassionate approach to this. The member for Morwell did exactly the same when he spoke about the matter in Gippsland.

We have heard tremendous presentations here today. It has been a great debate on a very important issue for a lot of Victorians who have major problems with their disabilities, and more importantly, for those who need appropriate care and the accommodation that we know is very difficult to provide. I think it is great that these issues are going before the all-party Family and Community Development Committee. I believe the committee has not met for about six or eight months because it has not had any work given to it. The reference given in the upper house was very important to Victorians, particularly people from my area — it was very important to country Victoria.

I think the reference is a great move. There have been some great debates in here, but what disappoints me greatly is that the minister responsible has not been here for the bulk of the presentations. However, she would have heard a lot of the reports from right across country Victoria, and I am going to give her a few more. I wrote to the minister back on 8 February on behalf of Mr Eric George of Horsham, who raised concerns with me regarding his son, Neville, who may require full-time care in the next 12 months.

Currently Neville George lives independently with the help of Wimmera Community Options. His family supports him, but they believe there will be a need for full-time care shortly. The only nursing home in Horsham is a high-care facility at the Matron Arthur or Menzies facilities in the Wimmera Health Care Group. They are great facilities, but they believe, and I agree with them, that it is not the place for this young man of

47 years of age, who has full mental abilities. It is not appropriate for him to be placed in a facility designed for elderly people. I think it is unacceptable. Neville's father is looking for more support, and I am still waiting for the report to come back from the minister.

I went back and looked at a newspaper article of 23 January — there were a couple of articles in the *Wimmera Mail Times* — which is headed 'Families fear a care shortage'. It states:

Concerns over retirement homes accommodating young disabled people have come under the spotlight again this week after a Horsham family voiced worry over a lack of appropriate full-time accommodation ...

The George and Hallam families told the Mail Times that their son and brother Neville George would face full-time residential care in an aged-care home because of a lack of appropriate accommodation.

The article quotes a doctor I have a lot of time for, Dr Rob Grenfell of the West Vic division of general practice, agreeing that nursing homes are inappropriate for young disabled people, but saying it is a complex problem. I agree. I think we all agree it is a complex problem. In that same newspaper there is a great article headed 'Neville's struggle'. It shows a picture of Neville George and says:

Picture your body giving up while your mind is still well and able.

It sounds like a nightmare but it's precisely what Horsham man Neville George goes through day in, day out.

Suffering osteoporosis, arthritis and spondylosis all at once has meant that Mr George has spent the past eight years in constant pain and discomfort, while his family have often had to —

worry about his obtaining services. There are services available in some of our areas but not accommodation services.

I want to compliment places like the Mulleraterong Centre in Hamilton and the Wool Factory and Karkana Centre in Horsham. There are special schools that help a lot of our disabled students gain skills that will help them in the future. I think it is important though that the government support the Horsham redevelopment of the special school, because this will give the students the skills necessary to assist in keeping them out of accommodation facilities, so they can look after themselves. I am pleased to see that the Minister for Community Services has come back in to listen to this debate. We hear many concerns about accommodation. It is a problem. Whether it be in disabilities or in mental health, there are major concerns, and I do not think they are going to be easy to resolve. This reference, and

particularly the reference put forward through the amendment moved by the member for Doncaster, gives us a much more comprehensive view of what is happening right across Victoria, whether it be in Melbourne or in country Victoria.

I want to finish with another letter that I got from Mark and Robyn Tonissen of Croxton East, near Hamilton. They are concerned about respite accommodation for their autistic son, Leigh. This fellow is 17 years of age. He has a mental age of about a one-year-old and requires constant personal attention 24 hours a day, 7 days a week. Again, there are major problems, whether it be in Melbourne, in a regional centre or in country communities. We need to look at this in a much more comprehensive way, as is outlined in the member for Doncaster's amendment. That is why I am supporting it strongly.

House divided on omission (members in favour vote no):

Ayes, 50

Allan, Ms	Langdon, Mr
Andrews, Mr	Languiller, Mr
Beattie, Ms	Lim, Mr
Brooks, Mr	Lobato, Ms
Brumby, Mr	Lupton, Mr
Campbell, Ms	Maddigan, Mrs
Carli, Mr	Marshall, Ms
Crutchfield, Mr	Merlino, Mr
D'Ambrosio, Ms	Morand, Ms
Donnellan, Mr	Munt, Ms
Duncan, Ms	Nardella, Mr
Eren, Mr	Neville, Ms
Foley, Mr	Noonan, Mr
Green, Ms	Overington, Ms
Haermeyer, Mr	Pallas, Mr
Hardman, Mr	Pandazopoulos, Mr
Harkness, Dr	Perera, Mr
Helper, Mr	Richardson, Ms
Herbert, Mr	Robinson, Mr
Holding, Mr	Scott, Mr
Howard, Mr	Seitz, Mr
Hudson, Mr	Stensholt, Mr
Hulls, Mr	Thomson, Ms
Ingram, Mr	Trezise, Mr
Kosky, Ms	Wynne, Mr

Noes, 31

Asher, Ms	Northe, Mr
Baillieu, Mr	O'Brien, Mr
Blackwood, Mr	Powell, Mrs
Burgess, Mr	Ryan, Mr
Clark, Mr	Smith, Mr K.
Crisp, Mr	Smith, Mr R.
Delahunty, Mr	Sykes, Dr
Dixon, Mr	Thompson, Mr
Fyffe, Mrs	Tilley, Mr
Hodgett, Mr	Victoria, Mrs
Jasper, Mr	Wakeling, Mr
Kotsiras, Mr	Walsh, Mr

McIntosh, Mr
Morris, Mr
Mulder, Mr
Naphine, Dr

Weller, Mr
Wells, Mr
Wooldridge, Ms

Amendment defeated.

Motion agreed to.

PORT SERVICES AMENDMENT (PUBLIC DISCLOSURE) BILL

Introduction and first reading

Received from Council.

Read first time on motion of Mr BAILLIEU (Leader of the Opposition).

Mr BAILLIEU (Leader of the Opposition) — I move:

That the bill be printed and, by leave, be read a second time forthwith.

Leave refused.

Ordered to be printed and second reading to be made order of the day for next day.

Sitting suspended 6.28 p.m. until 8.02 p.m.

COURTS LEGISLATION AMENDMENT (ASSOCIATE JUDGES) BILL

Statement of compatibility

Mr HULLS (Attorney-General) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities, I make this statement of compatibility with respect to the Courts Legislation (Associate Judges) Bill 2008.

In my opinion, the Courts Legislation (Associate Judges) Bill 2008, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of bill

The bill contains amendments to the Constitution Act 1975, the Supreme Court Act 1975 and the County Court Act 1958.

The bill will amend provisions in these acts to implement the recommendations contained in Crown Counsel's *Report to the Attorney-General: Office of Master/Costs Office* (March 2007) and institute substantial reform to the offices of master of the Supreme Court and master of the County Court, by

creating the office of associate judge in the Supreme and County courts.

The bill contains a number of technical amendments to provisions in a number of acts which themselves engage human rights. However, the only limitations on rights which are addressed in this statement are those which newly arise by reasons of the bill.

Human rights issues

1. Human rights protected by the charter that are relevant to the bill

Section 8(2) of the charter provides that every person has the right to enjoy his or her rights without discrimination. Section 18(1) of the charter provides that every person has the right, and is to have the opportunity, without discrimination, to participate in the conduct of public affairs.

The bill specifies age eligibility requirements for being appointed to or continuing in the office of associate judge. The age eligibility requirement constitutes discrimination on the attribute of 'age' under the Equal Opportunity Act 1995 and therefore limits sections 8 and 18 of the charter.

2. Consideration of reasonable limitations — section 7(2)

(a) the nature of the right being limited

The prohibition of discrimination is one of the cornerstones of human rights instruments and this is reflected in the preamble to the charter. The right to have the opportunity to participate in the conduct of public affairs without discrimination is fundamental to a free and democratic society. However, neither right is absolute and can be subject to reasonable limitations under section 7 of the charter.

(b) the importance of the purpose of the limitation

The purpose of the limitation, to ensure that appointees are competent and able to adequately perform judicial functions and maintain public confidence in the judiciary, is of high importance. The age eligibility requirement removes the need for individual assessment of the competence of judicial officers by the executive which would erode public confidence in the independence of the judiciary.

(c) the nature and extent of the limitation

The extent of the limitation is that a person is not eligible for appointment as an associate judge in the Supreme Court or County Court unless he or she has not attained the age of 75 years (where the person has been a judge, associate judge or magistrate of another court), or has not attained the age of 70 years (where the person has been admitted to legal practice for not less than five years). Furthermore, a person ceases to hold office as an associate judge upon attaining the relevant age. The limitation does not prevent such persons from participating in the conduct of public affairs in other ways, but only in the context of holding the office of associate judge.

(d) the relationship between the limitation and its purpose

There is a direct relationship between the limitation and its purpose as it ensures that associate judges are competent and maintains public confidence in the judiciary while preserving

the independence of the judiciary and minimising intrusive performance evaluations of associate judges by the executive.

(e) any less restrictive means reasonably available to achieve its purpose

There are no less restrictive means to achieve that purpose without compromising the perceived or actual independence of the judiciary.

Conclusion

I consider that the bill is compatible with the charter.

Rob Hulls
Attorney-General

Second reading

Mr HULLS (Attorney-General) — I move:

That this bill be now read a second time.

The proposed bill is based on a report by Crown Counsel, Dr John Lynch, in 2007 recommending substantial reform to the offices of master of the Supreme Court and master of the County Court.

The key provisions of Dr Lynch's review related to the functions of masters.

The current mechanisms for allocating functions and powers to masters do not reflect their evolved status as judicial officers.

Masters have been part of the Supreme Court of Victoria since the 19th century. The office of County Court master was created in 1985. Masters' principal function is to assist in the general business of the two courts. Their powers and authority are conferred on them by legislation, usually court procedural rules.

Initially masters were Crown employees. Their terms and conditions of office were determined by public service legislation. Over time masters have been recognised as part of the Supreme Court in the state's constitution and have acquired similar terms and conditions of office to other judicial officers, including security of tenure, a non-reducible salary (set at about the same level as County Court judges) and judicial pension entitlements.

While the new office of associate judge would continue to perform some of the historical functions of masters there have been significant developments in recent years to modernise the office of master in the Supreme Court, particularly in the provision of court-directed mediation. The bill builds on the initiative of the Supreme Court in recent years in allowing litigants to utilise the masters of the court to mediate disputes. It is unusual and innovative for judicial officers to have

been used in a superior court in this way. The Supreme Court's initiative has been embraced by litigants and their practitioners.

In 2007, Parliament amended section 75A of the Constitution Act 1975 to allow for the Court of Appeal to be constituted by a master for the purposes of making orders and giving directions of a procedural nature in civil appeals. This was one aspect of a program of civil appeal reforms in the Court of Appeal, designed to reduce delay and improve the operation of the Court of Appeal. In 2007 the court introduced new rules and a practice statement to facilitate a pilot project for front-end management of civil appeals. The pilot principally draws on the skills of masters in managing cases. A new master was appointed to manage and direct civil appeals.

Renaming the office of master would be consistent with developments in New South Wales and New Zealand and would reflect the judicial status acquired by masters, particularly over the last two decades, and assist public understanding of the nature of the office.

In line with the recommendations of the review, the bill retains the current requirement that the chief justice provide a certificate to the Attorney-General before a new office is created within the court.

Under the bill, associate judges will be subject to the rules and the general direction of the chief justice. The allocation of functions to associate judges would be an internal matter for the court.

Although a master has not been appointed to the County Court for some years, the bill provides for the replacement of the office of master in the County Court with the office of associate judge, for the time being. The civil jurisdiction of the County Court increased significantly in 2007. The question of whether to retain the office in the longer term could be considered once the impact of the increased jurisdiction is known.

The bill gives associate judges the jurisdiction of the trial division of the Supreme Court and of the County Court.

The Victorian courts are embracing mediation, both external and court-based, and are continuing to streamline case management.

The bill builds on the courts' initiatives in these areas and demonstrates the commitment of the government to ensure that justice is modern and delivered in an efficient and effective manner.

I commend the bill to the house.

Debate adjourned on motion of Mr McINTOSH (Kew).

Debate adjourned until Wednesday, 12 March.

DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL

Statement of compatibility

Mr ANDREWS (Minister for Health) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities, I make this statement of compatibility with respect to the Drugs, Poisons and Controlled Substances Amendment Bill 2008.

In my opinion, the Drugs, Poisons and Controlled Substances Amendment Bill 2008, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of bill

The purpose of the bill is to make two unrelated amendments to the Drugs, Poisons and Controlled Substances Act 1981 (the act).

Part 2 of the bill provides a mechanism to allow for the effective and efficient supply of drugs such as antivirals and vaccines during a public health emergency, such as an influenza pandemic or bioterrorism incident.

Part 3 of the bill deals with the supply by medical practitioners and nurse practitioners of drugs of dependence, including where the patients are drug-dependent persons, in order to simplify the processes and reduce the administrative/compliance burden on practitioners.

Part 3 also requires a practitioner to obtain a permit when treating with a drug of dependence for a period greater than eight weeks.

Human rights issues

1. Human rights protected by the charter that are relevant to the bill

The relevant rights under the Charter of Human Rights and Responsibilities Act 2006 ('the charter') which the bill will engage are —

Section 13: right to privacy and reputation

Section 13 of the charter provides that a person has the right —

- (a) not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with; and
- (b) not to have his or her reputation unlawfully attacked.

Part 3 of the bill confirms the obligation of a medical or nurse practitioner to notify the Secretary of the Department of Human Services in circumstances where a practitioner has reason to believe that one of his or her patients is a drug-dependent person and either that patient requests or seeks prescription of a drug of dependence, or the practitioner intends to treat the patient with a drug of dependence.

The right to privacy in section 13(a) is only limited if an interference with privacy, family, home or correspondence is 'unlawful' or 'arbitrary'.

While part 3 of the bill engages the section 13 rights, it does not limit the right to privacy because the interferences with privacy are proportionate and not unlawful or arbitrary.

The interferences with privacy in part 3 are not unlawful as they are provided for in this bill and occur in precise and circumscribed circumstances.

The interferences with privacy in part 3 are not arbitrary, because the requirement to notify the secretary is limited to a very specific set of circumstances. The requirement to notify in certain circumstances is intended to limit and control the supply of drugs of dependence, thus protecting both individuals and the community at large from harm. As these are important public policy objectives, they are sufficient to justify the requirements.

2. *Consideration of reasonable limitations — section 7(2)*

As the right under the charter which the bill engages is not limited by the bill, it is not necessary to consider the application of section 7(2) of the charter.

Conclusion

I consider that the bill is compatible with the charter because, although the bill engages the right conferred by section 13 of the charter, it does not limit that right.

HON. DANIEL ANDREWS, MP
Minister for Health

Second reading

Mr ANDREWS (Minister for Health) — I move:

That this bill be now read a second time.

This bill seeks to amend the Drugs, Poisons and Controlled Substances Act 1981 and will:

authorise a wider range of suitably qualified persons to distribute poisons or controlled substances such as vaccines and antiviral medicines during a public health emergency;

address some unnecessary administrative burdens placed on medical and nurse practitioners when treating patients; and

make other amendments to improve the operation of current laws.

The Brumby government is committed to ensuring that Victoria is prepared to respond to public health emergencies. As a part of this commitment, we provided \$4.5 million to enhance the Victorian health system's preparedness for an influenza pandemic, which resulted in an increase to Victoria's stockpile of antiviral medication and protective equipment.

The ability to quickly mobilise an appropriate workforce is a key factor when responding to a public health emergency. It is possible during a public health emergency, such as an influenza pandemic, that an additional trained workforce may be needed to distribute vaccines and antiviral medications.

Victoria will lead the way through this legislation which provides that in the event that the community is faced with a public health emergency the secretary would have the power to make an order in writing to authorise a wider range of suitably qualified persons such as registered nurses and pharmacists to distribute vaccines and antiviral medicines which under normal circumstances would not be allowed.

The order would specify the public health emergency to which it relates, the affected location, the persons to be authorised to possess, use and supply these medicines, and the date the order is to take effect.

The bill also seeks to separate the control of schedule 8 poisons such as morphine and dexamphetamine, drugs commonly used to treat medical conditions, including severe pain, from schedule 9 poisons. Schedule 9 poisons include heroin, LSD and cannabis. It is therefore appropriate to clarify the requirement for a permit to be held by a practitioner before proceeding to treat a patient with a schedule 9 poison. This is consistent with current requirements under the Drugs, Poisons and Controlled Substances Regulations 2006.

The current permit system aims to identify and minimise doctor shopping through the coordination of a patient's treatment with schedule 8 poisons. However, there are certain settings where the permit provisions impose an unnecessary administrative burden and, in some cases, work against good treatment practices. These situations are when patients are being treated in prisons, hospitals and aged-care services, and are not in a position to doctor shop.

Another situation where the existing permit requirements do not contribute to the coordination of a patient's treatment is in clinics with multiple medical practitioners. Under the current provisions, each medical practitioner may require a separate permit to treat the same patient. This adds an unnecessary

administrative burden and affords little additional safety benefit. It may also result in a break in treatment for the patient while the practitioner applies for and awaits issue of a permit. It is intended that where a practitioner at the clinic holds a permit to treat a patient with a schedule 8 poison, other practitioners may treat that patient at the clinic with schedule 8 poisons without obtaining a permit provided that the treatment is consistent with the issued permit.

In addition, practitioners will only be required to provide notification of drug dependence in higher risk circumstances, that is, when the patient requests a drug of dependence or the practitioner intends to treat the patient with a drug of dependence.

These amendments will simplify the administrative requirements placed on practitioners in restricted settings, without reducing the protections that the current system affords.

Further enhancements in coordinating patient treatment are also proposed. Currently a practitioner is not required to hold a permit until his or her treatment of a patient with a schedule 8 poison exceeds eight weeks, irrespective of the duration of treatment by previous practitioners. In circumstances when a patient, who has been in long-term treatment with a schedule 8 poison by one practitioner, transfers to another practitioner, unless the second practitioner has reason to believe the patient is drug dependent, the second practitioner may continue treatment without a permit for the first eight weeks. During this period, the patient is effectively outside the protection that the permit system affords and may actually be receiving treatment from multiple practitioners. This could have adverse impacts on patients receiving chronic treatment who are transferring between practitioners. In order to overcome this, the bill proposes that a practitioner who considers it necessary to prescribe a schedule 8 poison for a patient and has reason to believe the period the drug has been prescribed for the patient by another practitioner along with that practitioner's prescription would represent a continuous period of treatment greater than eight weeks must apply for and hold a permit from the secretary. The second practitioner is however authorised to continue treating until the issue of the permit has been determined by the secretary. This provides for a balance between maintaining continuity of treatment and promoting coordination of treatment.

This bill is a further example of the government's commitment to ensuring that Victoria is well placed to respond to public health emergencies. It is also further evidence of our government's work in ensuring that the administrative and compliance requirements placed on

the workforce strike the right balance, without compromising patient care.

I commend the bill to the house.

Debate adjourned on motion of Mr DELAHUNTY (Lowan).

Debate adjourned until Wednesday, 12 March.

CONSUMER CREDIT (VICTORIA) AND OTHER ACTS AMENDMENT BILL 2007

Second reading

Debate resumed from 6 December 2007; motion of Mr HULLS (Attorney-General).

Mr O'BRIEN (Malvern) — I am pleased to rise to speak on the Consumer Credit (Victoria) and Other Acts Amendment Bill. Let me state at the outset that the opposition does not oppose the bill.

The bill comes at a very important time. Credit is an ever-increasing feature of the lives of many Victorians. For the 12 months to December 2007 there were over 132 million purchases on credit and charge accounts in Australia conducted on 13.9 million of those accounts. As at December 2007 Australians had \$42.7 billion outstanding on credit and charge cards, the highest level on record. This represented a 9.5 per cent growth over the previous 12 months. While credit cards are one of the most visible and common forms of credit, there are many other types of credit that also operate in this state and elsewhere. Used effectively and sensibly credit is an important financial management tool. However, the misuse of credit, especially by those with low incomes or those who are otherwise in financial difficulties, can have quite dire consequences.

One of the keys to the proper use of credit is financial literacy — that is, the ability to make informed judgements and effective decisions regarding the use and management of money. The former federal coalition government deserves to be commended for its groundbreaking work on financial literacy through the establishment of the Financial Literacy Foundation, which is chaired by Mr Paul Clitheroe, a well-known financial commentator. The federal government has worked with the states to try to promote financial literacy on the basis that it is helping to provide many Australians with the tools to use credit effectively and responsibly, and so secure their financial futures and prevent them getting themselves into difficulty.

Since its establishment in June 2005 the foundation has undertaken considerable work on financial literacy in this country, including conducting original research. This original research, which is published in a report entitled *Financial Literacy — Australians Understanding Money*, includes the findings that 48 per cent of Australians say that dealing with money is both stressful and overwhelming, while 40 per cent of Australians say that thinking about their long-term financial future makes them uncomfortable. So a significant proportion of our community has concerns about its ability to manage money properly and in fact is almost, according to these findings, uncomfortable with the idea of thinking about the long-term financial future. Of course it is the failure to think ahead to what the consequences might be about money management that can often lead people into trouble in the use of credit. Hence the importance of this bill.

The work of the foundation also recognises that consumer credit and financial literacy issues are often national in scope. However, as the regulation of many consumer credit products takes place at a state level, it does follow that the states have a very important role to play in regulating this area. This brings me to the steps which led to this bill coming before the house today.

In May 2005 the government asked the member for Monbulk, now the Minister for Sport, Recreation and Youth Affairs, to chair a review into Victoria's consumer credit laws. In February 2006 the member for Monbulk submitted his report to the government, which then released his report in March. Later in 2006 the government responded to the report, and this bill before the house today implements aspects of the government's response.

I am pleasantly surprised to see the government's response, and I quote from page 6 of the *Government Response to the Report of the Consumer Credit Review*:

Overall the government's response to the consumer credit review focuses on making the credit market work more effectively and imposing only the minimum regulatory burden. Where possible non-regulatory approaches have been pursued, such as information and education, industry cooperation, government funding and research.

It goes on to state:

The government also considered opportunities to simplify or remove unnecessary regulation.

It is pleasing to see that the government recognises that excessive regulation may impose costs, which create detriments to more vulnerable consumers, and also acknowledges the fact that consumers have a role to play as responsible borrowers. The government in its

response also specifically ruled out raising the ceiling that currently operates and applies a maximum annual percentage rate of interest for credit. The government had been considering the option of raising that ceiling to capture fees and charges, as has occurred in New South Wales and the ACT, but it states in its response:

The Victorian government, however, does not believe that this sort of market intervention is warranted if better tools are available.

So to give credit where it is due — no pun intended — this is a sensible approach to take, and it is far better than the heavy-handed regulation-first approach that Victorians generally have to endure from Labor governments in general and this one in particular. This response acknowledges that the capping of the cost of credit may ultimately result in the withdrawal of credit services from the sector of the market where more providers engaged in competition may result in driving down higher costs to consumers and therefore may be ultimately counterproductive.

Another measure which was proposed by the Merlino review, which the government has decided not to proceed with, is option 6.2. This option sought to have Victoria request the Ministerial Council on Consumer Affairs to amend the uniform consumer credit code to firstly, place a positive obligation on credit providers to adequately assess consumers' capacity to repay credit and, secondly, introduce an explicit remedy that would make a credit contract unenforceable to the extent that it imposes a liability on the consumer beyond that which is appropriate.

I am very pleased the government decided to reject this option because this proposal would effectively reverse the onus of proof that currently exists, under which a person applying for credit bears the responsibility for ensuring that they can repay any moneys that are borrowed. This change, had it been implemented, would place that onus on the lender rather than the borrower. It would also place consumers in the position where they may be relieved of their obligations under a consumer credit contract, even where they have made little or no effort to determine whether they have been able to meet their obligations under that contract.

There are some very serious problems with the proposal. Notwithstanding these, the government's response states that it is supported in principle. It appears that in reality the government is certainly not proposing to adopt it. Adopting this proposal would simply increase the cost of credit by transferring greater risk to credit providers. It would restrict the supply of credit, particularly to those people on low incomes, as credit providers sought to eliminate or at least reduce

their risk, which would be increased by this sort of measure, and ultimately low-income consumers would be the losers.

Given that consumers have possession of more knowledge about their individual financial circumstances than does a credit provider, it is not sensible to reverse the onus of primary responsibility. I would also say that the moral hazard risk that such a proposal would promote is enormous. If a credit contract is unenforceable where a consumer has accepted a liability that they are unable to repay, why would this not encourage people to seek credit knowing that, if they could not repay it, it would be seen to be the lender's fault and not their own? In what was otherwise a relatively sensible report by the member for Monbulk, this was one of the less sensible recommendations and I am very pleased the government has not seen fit to try to proceed with that proposal.

A number of other suggestions in the Merlino report do not appear to have been followed through. One is a reference, on page 8 of the report, to the need to improve compliance action by Consumer Affairs Victoria. I just ask: where is the government commitment to the proper resourcing of CAV? It is not enough to improve the powers of Consumer Affairs Victoria if the agency does not have the resources necessary to use those powers to ensure the efficient and effective regulation of the consumer credit market. The government's response to the Merlino report is silent on the question of the resourcing which is necessary to improve compliance action.

The member for Monbulk's report also rightly refers to the importance of national regulatory consistency in credit markets given the national and even international nature of credit providers. However, this bill before the house has been criticised in a publication of the Mortgage and Finance Association of Australia. An article published in December 2007 by Jon Denovan of Gadens Lawyers states that it is unfortunate that this legislation further reduces the uniformity of credit laws in Australia.

It would seem there might be aspects of this bill which are out of step with what has been the government's commendable approach to try to ensure consistency as far as possible of consumer credit laws throughout the country. I urge the government to keep a very close eye on what happens in the other states and ensure that it does not get too far ahead of them if that is going to lead to an unnecessary departure from the uniformity which governments of both political complexions have

sought to implement in consumer credit laws over the past 20 years.

The government also chose not to follow option 5.3 in the member for Monbulk's report, which was to allow credit fees and charges to be challenged on the basis of unreasonableness. The government's response is that it proposes to address this question nationally, and it acknowledges the need to minimise the cost to business. Unreasonableness is one of those concepts that is often in the eye of the beholder.

One thing that is going to be very important in ensuring we have an effective and efficient consumer market is to have some level of consistency, uniformity and predictability, because lenders will not lend unless they have those aspects present. It would be a retrograde step to introduce what can be the fairly nebulous concept of unreasonableness — which, as I said, can often be in the eye of the beholder and may mean different things to different tribunals — in relation to challenging credit fees and charges. The government is right to be striking a note of caution about that proposal by the member for Monbulk.

One concern I express about this bill is the level of consultation on it. While initially the government undertook a commendable process of issuing a discussion paper, having the member for Monbulk put in some recommendations, which were released, and then releasing a government response, the measures which have found their way into this bill do not seem to have been the subject of consultation with a number of stakeholders. In particular the measures relating to amendments to the Residential Tenancies Act and the Sale of Land Act do not appear to have been the subject of consultation with either the Law Institute of Victoria or the Real Estate Institute of Victoria. One would have thought that both those bodies were important players as regards those acts and that they would have a legitimate expectation, given their expertise in the area, that their views might have been sought. In fact when I raised the content of this bill with those two bodies recently, it was the first they had heard of the specific proposals. The government has certainly not been as diligent as it should have been in relation to consultation. It should not be relying on the opposition to bring these matters to the attention of those relevant peak bodies.

Turning to the content of the bill itself, part 1 sets out the purposes of the bill. Part 2 amends the Consumer Credit (Victoria) Act 1995. Clause 3 amends section 8(1) of that act and permits the director of Consumer Affairs Victoria to bring proceedings under the Consumer Credit (Victoria) Code in a court instead

of the Victorian Civil and Administrative Tribunal (VCAT). The bill empowers the director of CAV to do so where issues are in the public interest and where, given the nature and circumstances of the case, it would be more appropriately dealt with by a court.

The opposition is quite supportive of this measure because there will be times when it is necessary to establish a particular principle of law. This is often best done through remitting the matter under consideration to a higher court in the first instance rather than to VCAT and waiting for appeals which may or may not take place. Certainly if they do take place, they will take time to conclude. There will be occasions when the establishment of a particular principle is important for both consumers and lenders, and this can be done most expeditiously done through a particular case which encompasses that question of law being brought to a court such as the Supreme Court in the first instance rather than through an appeal process.

Clause 4 of the bill inserts a number of definitions into the act, including that of an approved EDR (external dispute resolution) scheme. An approved EDR scheme is one which will be approved by the Australian Securities and Investments Commission (ASIC) under the Corporations Act or as prescribed by regulation. Again, this would seem to be a sensible move given that ASIC already has criteria for approving of EDR schemes. There seems to be no point in trying to reinvent the wheel by coming up with specific Victorian definitions of EDR schemes when there is already a national system up and running.

Clause 6 of the bill inserts new section 12A, which is a requirement that a registered credit provider must not carry on business in Victoria unless the body is a member of an approved external dispute resolution scheme. It provides penalties of 120 units for a natural person and 600 units for a body corporate found to be in breach of this measure.

The opposition is supportive of the notion that credit providers should be part of external dispute resolution schemes. They seem to be fairly effective as a low-cost means of dealing with consumer disputes. They are also weighted towards the consumer in that the EDR process is binding on a credit provider but not necessarily binding on the consumer. There are some credit providers who dislike that aspect of EDR schemes because if the consumer wins, the credit provider is bound by the result, but if the consumer loses, then the consumer is not bound by the result. Some consumer credit providers might find that a little bit unfair, but it is something which is being broadly supported by all sections of the industry.

The notion that credit providers in Victoria should be party to external dispute resolution schemes is one which we think might be effective in reducing the number of credit disputes which reach the Victorian Civil and Administrative Tribunal or the courts. This is something that ultimately has to be good for both consumers and the industry.

Clause 6 also inserts a new section 12B, which sets out the requirements to be eligible for registration as a credit provider. The opposition believes that it is important to keep inappropriate people and corporations out of this industry. This will protect the honest participants in the industry and will obviously protect consumers as well. Some of the criteria which would make a credit provider ineligible to be registered will be: if that credit provider is insolvent, is a represented person under the Guardianship Administration Act 1986, has been convicted or found guilty of a disqualifying offence within the preceding five years or is an associate of such a person, or if that person has had a relevant licence or registration suspended or cancelled at any time in the preceding five years or was the director of a body corporate that had been in that position. These seem to be very sensible measures which will ensure that inappropriate people do not enter the industry, and as is covered under other provisions in the bill, do not remain in the industry if they happen to be there already.

Clause 7 sets out details relating to what must be provided on the application for registration. This is relatively light touch and the sort of information that needs to be provided on the registration application would not be regarded as being unduly onerous by any responsible credit provider.

Clause 9 enhances the power of the Business Licensing Authority (BLA) to seek and obtain information on an applicant for registration. This includes the power to obtain a report from the Chief Commissioner of Police. Again, this seems to be a quite sensible measure to ensure that the Business Licensing Authority has a reasonably wide variety of sources of information available to it before it has to determine an application for registration as a consumer credit provider.

Clauses 10 to 24 of the bill deal with the registration process. I will not go into the detail of each of those clauses as they all seem to be fairly sensible and will operate as one would expect. It is also important to note that any refusal by the Business Licensing Authority to register an applicant is appealable before the Victorian Civil and Administrative Tribunal. So there is a level of judicial or tribunal oversight of the BLA's decision-making power, and any applicant who feels

aggrieved will have the opportunity to have that decision reviewed in the appropriate forum.

One thing I would say about clause 24 is that it requires that any person who was registered as a credit provider immediately before the commencement of section 6 of the act must within 14 days of that commencement advise the Business Licensing Authority in writing of various details. This may raise a little bit of a timing issue from an administrative point of view. The department advises me that there are some 850 to 900 registered credit providers in the industry operating in Victoria at the moment. To require all those bodies to provide the BLA with the relevant data within 14 days of the commencement of this provision may prove a challenge both for the industry and the BLA in terms of compiling all that information. Given that the failure to provide that information threatens a company's registration, I hope that the government will work with the industry to make sure that adequate notice is given to the industry before these requirements are put in place and that a sensible approach is taken on meeting those deadlines.

That brings me to part 3 of the bill, which amends the Credit (Administration) Act 1984. Clause 26 gives power to the director of Consumer Affairs Victoria to institute a proceeding under the Consumer Credit (Victoria) Code in a court, where that is in the public interest and the circumstances warrant it. As I said previously, that is a sensible provision, given that some points of law might need to be determined in higher courts on an urgent basis instead of going through VCAT and any appeals process. I would of course expect the director of Consumer Affairs Victoria to acknowledge that a consumer credit provider would be facing potentially significantly higher costs by undertaking proceedings in a court rather than VCAT and that that power given to the director would be used only in the appropriate circumstances. The opposition has confidence that that provision will be used wisely.

Part 4 of the bill provides for a number of measures in the Credit Reporting Act to be incorporated into the Fair Trading Act. These essentially relate to credit reporting. All credit reporting regulation is now conducted at the federal level through the Privacy Act. The government has commendably decided to repeal aspects of acts which really do not have much application in Victoria any more, given that they have been superseded by the terms of the Privacy Act. A couple of provisions in the Victorian act have been maintained because they cover areas which the Privacy Act does not pick up. It is commendable that we are trying to reduce the level of Victorian legislation that is essentially redundant.

Part 5 amends the Residential Tenancies Act. This provision extends the protections of the Residential Tenancies Act to people participating in so-called rent-to-buy contracts where a contract may exceed five years, a term beyond which the protections of the Residential Tenancies Act are usually not open to a party. This bill seeks to ensure that those protections remain available.

Again, this appears to be something which is sensible, although I place on the record again the fact that the Real Estate Institute of Victoria (REIV) and the Law Institute of Victoria (LIV) have expressed concerns to me that the level of consultation with them on these provisions has not been adequate. As a result the Parliament is debating this particular clause without the benefit of the considerable expertise of those two bodies in this area. It would have been to the benefit of all honourable members had the REIV and LIV positions on this clause been before the house.

Part 6 of the bill deals with amendments to the Sale of Land Act 1962, in particular in relation to terms contracts, which essentially operate where a party has occupation of a property prior to transfer of title and/or where there are a number of payments from the purchaser to the vendor prior to transfer of title. This part of the bill attempts to re-enact aspects relating to terms contracts in plainer English and to improve some of the protections. On the face of the bill there does not appear to be much that is particularly objectionable, but again the benefit of the views of the Real Estate Institute of Victoria and the Law Institute of Victoria through adequate consultation have been denied us, and that is a matter of some regret.

Part 7 of the bill amends provisions of the Transfer of Land Act, the Subdivision Act and the Business Licensing Authority Act in relation to owners corporations matters. This house passed amendments to the Owners Corporations Act late last year, the other place agreed to those amendments earlier this year and this part of the bill essentially introduces some housekeeping amendments to tidy up some references in those other acts to refer to the amendments that this house has previously passed.

With that, the opposition restates that it does not oppose the bill. There are some very wise measures in it. There were some perhaps dangerous paths the government could have taken, and it is pleasing to see that it has resisted that temptation. On that basis the opposition wishes the bill a speedy passage.

Mr LUPTON (Pahran) — I am pleased to speak in support of the Consumer Credit (Victoria) and Other

Acts Amendment Bill. It is pleasing that the opposition has indicated its support for the legislation. I commend the process that has been undertaken in the development of the bill before the Parliament. In particular I recognise the work that was done by the member for Monbulk, who is now the Minister for Sport, Recreation and Youth Affairs, through his review of consumer credit. He undertook extensive work and consultation with a wide variety of stakeholders in relation to the reform and updating of consumer credit legislation in this state. The government received the report from the member for Monbulk in March 2006 and made a response in late 2006. As a result the Minister for Consumer Affairs, who is at the table, has been responsible for the development of this legislation.

The bill does a number of very important things which will improve the circumstances for those seeking credit provision here in Victoria. The provision of credit is very important in the way that, from time to time, most people in Victoria gain access to goods and services. It is important that the protections in place for consumers in relation to the way credit is provided be rigorous and robust. It is also important that people be aware of their rights and be able to make sure they have access to those rights and entitlements to protect their position under our credit laws. A number of matters came out of the review of the consumer credit legislation, including the responsibility of the national Parliament. A number of those matters are currently being progressed through ministerial councils at that level with the participation of the state and territory governments, led very ably by the Minister for Consumer Affairs in that regard.

The recommendations of the review which fall within the jurisdiction of the Victorian Parliament and which the government has accepted are contained in this legislation. In overview what this legislation does is provide for an enhanced form of registration of credit providers in this state and improve dispute resolution mechanisms that should be and will be available for people who take out credit. The enhanced registration scheme is an important one in consumer protection terms, because regrettably what we find is that in the provision of services such as consumer credit from time to time, there are players in the market who are not fulfilling the proper and lawful obligations of a credit provider.

The bill will introduce an enhanced registration scheme for credit providers which will require those providers to provide a range of important information about their businesses to Consumer Affairs Victoria, and this will enable Consumer Affairs Victoria to undertake appropriate targeted compliance and enforcement

activity against credit providers who may be at high risk of engaging in predatory lending practices such as payday or fringe lending practices. This will also help consumers to make important informed decisions about credit providers, so making sure that all credit providers are part of this registration scheme will be a signal advance for consumer protection in this state.

Secondly, the bill provides for an improved dispute resolution mechanism. What it does is establish a mandatory scheme of external dispute resolution. Most of the large and mainstream credit providers already provide for such dispute resolution, but this legislation will ensure that consumers who have a complaint against a credit provider are able to have the complaint heard and determined by an independent body no matter what credit provider they have. At present the unfortunate circumstance is that those credit providers who one might say are more likely to be in the high-risk category or are more likely to be lending in a risky manner are the ones that do not have this type of dispute resolution mechanism in place. This legislation is really making sure that the credit provision industry is going to be properly targeted and that the ones that need to improve their performance lift their game. That is an important recognition of the need for proper consumer protection in this field.

A further and important measure that is included in this legislation is to provide for the director of Consumer Affairs Victoria to have the power to institute representative proceedings on behalf of consumers under the Fair Trading Act. The bill extends this power so that the director can also take representative action under the Consumer Credit (Victoria) Code. Currently the director of Consumer Affairs Victoria can take these actions under the Fair Trading Act but not under the consumer credit code, and it seems appropriate that the government has come to a sensible and appropriate decision that the director of Consumer Affairs should have that same ability under both the consumer credit code and the Fair Trading Act. Legal action will be able to be taken by the director of Consumer Affairs in either the Victorian Civil and Administrative Tribunal or one of the higher courts in the state.

It is appropriate that the director have the ability to make that choice based on the public interest and the circumstances of a particular case so that we end up with a situation where appropriate precedents are established in this state for the proper protection of consumers. The use of representative actions by the director of consumer affairs is a very sensible and appropriate way for consumers rights to be effectively advanced by the director without the need for individual consumers to continue to bring actions on

their own behalf, which of course is time consuming and can be quite costly. These are very sensible and important consumer protection advances that are contained in this bill.

There are a couple of other very important elements which particularly refer to protections for homeowners and people who are seeking to own a home through rent-buy schemes. The bill provides greater protection for consumers who are in the situation of seeking to own their home through alternative methods of homeownership. The bill simplifies and clarifies the law relating to vendor term contracts and brings rent-to-buy contracts under the cover of the Residential Tenancies Act. This is a very sensible move.

Bringing rent-to-buy contracts under existing tenancy legislation will ensure that consumers using rent-to-buy arrangements are afforded simply the same protections that other residential tenants are afforded — for example, the right to have repairs carried out, rights in relation to when owners may enter a property, and protection against unfair rent increases. These are obviously sensible moves. People in those rent-to-buy arrangements need the same protections that other residential renters are afforded by the residential tenancy laws in this state. I commend the Minister for Consumer Affairs for taking this action and protecting the many consumers who are in this situation.

In summary, this legislation makes some very important reforms to consumer credit legislation in this state by bringing into effect an enhanced registration scheme to cover all credit providers. It provides for enhanced dispute resolution mechanisms which will mean that disputes are better able to be solved. It will improve the circumstances of consumers in this state, and I commend the bill to the house.

Mr JASPER (Murray Valley) — I am pleased to join the debate on the Consumer Credit (Victoria) and Other Acts Amendment Bill 2007. I indicate at the outset that I listened carefully to the contributions made by the members for Malvern and Prahran. The member for Malvern conducted a detailed investigation of the legislation and commented in relation to various provisions in the legislation. The member for Prahran gave an overview of the provision of credit within the state of Victoria.

There is no doubt this is a huge issue for Victoria when we see the credit being provided to consumers across the state. Credit is convenient and readily accessible, and it has expanded dramatically. It is estimated that credit card debt in Australia is currently something like \$40 billion, compared to \$31.5 billion in 1995, with the

average credit card debt being over \$3000. When we think about it, that is a massive amount of household debt across the state just through credit card arrangements, which are only one area of credit. Credit is available through a range of moneylenders and organisations that provide funding support for a range of people right throughout Victoria and indeed beyond into Australia.

It is interesting that in the second-reading speech the Attorney-General noted that 400 000 Australian households are suffering mortgage stress.

Mr Robinson — More than that.

Mr JASPER — The Minister for Consumer Affairs thinks it is more than that but the second-reading speech indicated 400 000. Of course this is becoming a much bigger issue as we move ahead and see an increasing interest rate burden being placed on people with various ranges of credit right across Australia. I believe this will cause problems for many of us. It will be a great problem for the federal government given the huge increases that could potentially take place. Currently the federal government is blaming the previous federal government for the increases, and I am reminded that the federal Treasurer said there had been seven interest rate rises. What he did not say was that most of those were 0.25 per cent. That is 1.75 per cent in total, so it is not quite as huge as people might imagine.

I think the federal government — through you, Speaker, to the minister — will have some huge issues in trying to contain the increases in interest rates that may be imposed in the next 12 months. It will be difficult for the federal government to continue to blame the previous government for those rises. That aside, this will have a dramatic effect on householders and others living in Australia. Therefore it is important that we have appropriate measures in place to control and provide some overview of the provision of credit through the various providers in Victoria.

I think the legislation before the house is important. As has been indicated by previous speakers, this is the result of an investigation by the honourable member for Monbulk, now the Minister for Sport, Recreation and Youth Affairs, back in May 2005. A report was prepared in February 2006 and a response to it was provided by the government in the latter part of that year. It is interesting to read the summary of the report and the response of the government to it. At this stage I thank the Minister for Consumer Affairs for making available staff from his office and the department to give me a briefing and an overview of the legislation. It

takes a bit to get a handle on the provisions contained in the bill.

It is interesting to look at the review, the report and the response provided by the government to that investigation. It indicates that the products and providers of the consumer credit market are progressively becoming complex and diverse. There is no doubt that credit has become more complex and certainly diverse. The response mentions particularly the problem that personal household debt held by Australians has never been higher. It mentions that the state and territory consumer credit codes had not been reviewed since 1994 — so there certainly was a need for changes to be implemented — and that the state and territory governments were concentrating on implementing the recommendations of reviews that were undertaken between 1998 and 2000 and which were contained in the report.

It is interesting also to read some of the information that came through in the government's response. It demonstrates that consumer credit regulations are not operating effectively in the state of Victoria and that they need to be improved. The consequences of the poor regulation of credit-related services, such as finance broking, could be that they are irresponsibly or recklessly being utilised. I think a response needed to be provided by the government and there needed to be action from the government in relation to this matter.

Overall the response of the government provided in the latter part of 2006 indicated that the consumer credit review focused on making credit markets work more effectively and on imposing only a minimal regulatory burden. I want to indicate that from my point of view we want to minimise the regulation that we have right throughout Victoria in various areas, whether be the credit market or other areas. As the chairman of the regulation review committee I am constantly indicating that we need to minimise the regulation we have for people right across the state and to try to make it easier. I think this legislation strikes a fair balance between introducing regulation to improve the availability of credit and control of the credit market without going too far.

The report reiterated the need for national consistency and provided many options to be pursued through a national process. That leads me to another area. I believe that while we have this legislation in Victoria, and the details of it have been provided particularly by the honourable member for Malvern, we need to be looking at national schemes, national accreditation and uniformity throughout all the states of Australia and the commonwealth.

Dr Sykes — No more border anomalies!

Mr JASPER — As the member for Benalla says, let us have no more border anomalies. I take up the interjection, because this is a critical area for those of us who have electorates along the border between Victoria and New South Wales when we see variations in the law. Whilst I acknowledge that various acts have been amended and changes have been implemented by introducing firmer and stricter credit controls — by registrations and by licensing arrangements — we need to look at trying to get a national scheme which will be as effective as possible.

Recently we have seen more action being taken by governments at the state and federal levels to join together to look at all these areas so we can get uniform laws across Australia. The differences that have been recognised through the Border Anomalies Committee indicate clearly that action should be taken.

As far as The Nationals and the coalition operating in Victoria at present are concerned, we will not be opposing this legislation, but I make the point that whilst action has been taken by this state government in taking up the recommendations contained in the report — major changes that have been implemented — we need to understand that the credit arrangements being provided by the large range of credit providers across the state of Victoria need to be reviewed, upgraded and improved to ensure there is protection for consumers — and not only for consumers. We also need to see protection being given to those who are providing that credit. We need to make sure not only that they meet the requirements but also that they are protected from other people who may be operating within the community.

From our point of view, we accept and support the legislation and look to uniformity being gained throughout Australia generally.

Ms GREEN (Yan Yean) — It is with great pleasure that I join the debate on the Consumer Credit (Victoria) and Other Acts Amendment Bill.

I have a great interest in this legislation, given that I have such a large and growing electorate with many people who are purchasing homes. There are also very high rates of car ownership in my electorate. We have lots of small business people operating there, and the fact that people want to purchase a car and a home is always going to ensure they will need to access credit.

As a government it is important to have an appropriate regime that protects people in this way. I would like to commend the minister at the table, the Minister for

Consumer Affairs, not only as minister in this area but, as anyone who has followed his career as the member for Mitcham over the last 10 years knows, as one who has always taken a longstanding interest in protecting the interests of consumers.

The policy basis for this bill coming before the house had its genesis in the 2005 groundbreaking social policy statement by this government, *A Fairer Victoria*, the government made a commitment to review credit laws to determine the best ways of facilitating the provision of affordable credit to low-income households and prevent predatory financing practices that target disadvantaged households. That was how the consumer credit review was commenced, and the final report was publicly released in March 2006. As previous speakers have mentioned, that review was undertaken by the member for Monbulk.

Labor governments have always had a very good and forward-looking role in consumer protection. It is one of the things that we always take a great interest in. In particular, the Brumby government has a record of standing up for Victorian consumers, particularly vulnerable and disadvantaged consumers, and the area of consumer credit is no exception.

This bill implements the Victoria-specific recommendations that were supported in our response to that review, and it will increase consumer protection in Victoria, providing for greater scrutiny of credit providers and increasing dispute resolution options available to consumers.

The bill provides an enhanced registration scheme which will require that credit providers will have to provide various pieces of information about their business to Consumer Affairs Victoria, and it will enable Consumer Affairs Victoria to undertake targeted compliance and enforcement activity against credit providers who may be at high risk of engaging in predatory lending practices such as payday lenders or fringe lenders. This will be of great assistance to consumers to make informed decisions about credit providers.

The bill provides for improved dispute resolution mechanisms and also makes some provisions in relation to alternative methods of home ownership. The bill will simplify and clarify the law relating to vendor terms with those rent-to-buy contracts and bring it within the cover of the Residential Tenancies Act, so that these tenants in rent-to-buy arrangements will have the same protections as tenants in relation to repairs and owners accessing the property and protections against unfair rent increases.

The bill also repeals the Credit Reporting Act, as most of these consumer protections provided by that act are now contained in the commonwealth Privacy Act. The bill also repeals some current exemptions for pawnbrokers from the operation of the Consumer Credit (Victoria) Act, because the consumer credit code already excludes pawnbrokers from the operation of the code. The bill makes a number of other miscellaneous minor amendments to the Subdivision Act, the Business Licensing Authority Act, the Transfer of Land Act and to the implementation of the Owners Corporation Act 2006.

The Brumby government is confident that this bill will provide a greater range of protections to vulnerable consumers. As I said, it is another piece of groundbreaking legislation supported by good government committed to protecting the disadvantaged, but within an appropriate market setting, and I commend the bill to the house.

Mr WAKELING (Ferntree Gully) — It gives me pleasure to make a brief contribution to the debate on the Consumer Credit (Victoria) and Other Acts Amendment Bill. It is also pleasing to follow the contribution of the member for Malvern, who made a spirited and passionate contribution on this important bill. I know that the member for Malvern will be a fantastic minister in a future Baillieu coalition government.

As has been pointed out by those who have spoken before me, this amending bill is brought about by recommendations that were presented as part of a consumer credit review that was prepared by the member for Monbulk, Mr James Merlino, prior to his taking up his current position as a minister of the Crown. The member had raised a number of issues, and as a consequence of that this bill seeks to introduce a raft of changes, including requiring that credit providers belong to an external dispute resolution scheme, allowing the director of Consumer Affairs Victoria to bring proceedings under the consumer credit code in a court rather than at the Victorian Civil and Administrative Tribunal, enacting certain provisions of the Credit Reporting Act of 1978 and the Fair Trading Act of 1999, repealing the Credit Reporting Act and amending the Residential Tenancies Act of 1997 to add residential protections to certain protracted leases.

We will be supporting the bill. We think it is important that constructive changes to legislation be supported. We have always been a constructive opposition that seeks to ensure that the government introduces constructive and positive laws in this state. But as members will appreciate, there will be times when,

unfortunately that is not the case and in fact legislation brought into this house will take the state in the opposite direction.

There are a couple of issues I would like to deal with. Firstly, in regard to the recommendations that were prepared by the member for Monbulk, whilst many of those issues have been taken up and are to be supported, it is fortunate that option 6.2, which the member for Malvern has alluded to, is not going to be adopted. This, in effect, was going to reverse the onus in terms of the provision of credit. Any member who has purchased a house would have had to go to their bank and provide details of their income, assets and liabilities and prove to a bank manager that they had the financial capacity to repay a loan. But under this proposal, the onus was not going to be placed on the individual seeking the loan, but in fact on the provider of the credit to ensure that the person had the capacity to repay the loan.

As members could appreciate, there will be a raft of situations where a bank manager will not be in a position to determine if someone actually has that capacity, if the necessary information has not been provided to begin with. I am pleased to see that wiser heads have prevailed and that that provision in the recommendation by the member for Monbulk has not been picked up.

Another point concerns uniformity in legislation. The former Kennett government worked hard to achieve uniformity, and in the area of industrial relations we saw harmony between the state and federal systems. As a former practitioner in the industrial relations arena working on a national scale, I understood —

Dr Sykes interjected.

Mr WAKELING — That is exactly right. I understood the complexity of the state and federal legislation, and I knew the difficulty of trying to weave your way through the myriad changes in the differing pieces of legislation. I was interested to hear the comments of members of the new Rudd government, who are going to seek uniformity and bring the country together. It is quite interesting to note that as a consequence of this legislation there will be a shift away from uniformity. In fact, in an article published by the Mortgage and Finance Association of Australia, Jon Denovan of Gadens Lawyers summed it up when he said:

It is unfortunate that this legislation is a further reduction in the uniformity of credit laws in Australia.

It is imperative that whilst important changes are to be introduced — and we support that — there is a fundamental drive by this government to seek uniformity with other states to provide benefits not only for the business sector but more importantly, as in this case, for consumers. I can only hope that this government will start to listen to the calls for uniformity and act accordingly by seeking further changes in that area in the future.

Mr SCOTT (Preston) — It gives me great pleasure to rise to speak on the Consumer Credit (Victoria) and Other Acts Amendment Bill. In the short period I have been in Parliament I have taken a particular interest in consumer affairs issues, since I think they lie at the heart of how government can seek to intervene in the market in a way that will ensure supply of services but at the same time prevent exploitation of vulnerable people. This act certainly fits into that tradition of legislation.

In particular, I have previously raised in the house issues of payday lenders. In the adjournment debate on 23 August last year I raised a shocking issue, really, of an individual who came to my electorate office after having been subject to what I regard as outrageous conduct by a lender who in effect was charging \$28 interest a month on a \$70 debt. That is the sort of behaviour that I think lies at the fringe of this activity. In the end the effective interest rate being paid by that individual on the small debt that they owed was, by my calculation, 480-odd per cent a year. That is the sort of behaviour at the fringe that I think the state should certainly take an interest in, to say the least.

Although previous speakers have outlined various aspects of the bill, a particular aspect I would also like to highlight relates to alternative methods of homeownership, which are commonly known as rent-to-buy mechanisms, whereby people pay rent and do not get a traditional loan but receive vendor finance. They pay their rent and during that process they pay off a loan. Previously people in this sort of arrangement were not covered by the Residential Tenancies Act. This bill simplifies and clarifies the law relating to vendor terms contracts and brings rent-to-buy contracts within the coverage of the Residential Tenancies Act 1997. This is a sensible arrangement. I have always believed — and believed strongly — that people who are renting in whatever form should have legislative protection of the sort that the Residential Tenancies Act affords to individuals. There should not be people who are renting — be it in caravan parks, which I have raised in other matters, or in these sort of arrangements — who are outside the regulatory framework that we establish for a civilised society. This

is a particular aspect of this bill which I commend to the house.

The bill makes a number of other changes. As has been mentioned, the bill builds on the work on consumer credit that was undertaken previously by the member for Monbulk prior to his ascension to the ministry and on the review he undertook. It is a significant bill which contains a number of other provisions, including those for an enhanced registration scheme for credit providers and improved dispute resolution mechanisms. In particular I highlight improved dispute resolution mechanisms as being a sensible reform. It is always much better if disputes can be resolved without people having to take their matters to court or to other forms of dispute resolution which are not so easily accessed, particularly by people of low income. I regard this as a sensible change.

There are a number of other aspects of the bill that I will not go into here because I understand others have covered the detail, but again I emphasise that I think it is a very sensible bill that provides a useful addition to this area of legislation.

Reflecting more broadly, consumer affairs legislation must always balance the need for the provision of services with the need to protect disadvantaged and vulnerable consumers, and that lies at the heart of this type of legislation. If regulation is too onerous and if it provides for imposts that cannot be met on those who seek to provide goods and services, then the services and goods will not be provided. At the same time many in the community can be exploited by those who have no regard for their fellow human beings and who act in a manner which we would find reprehensible. Any legislation has to seek to strike a balance between those two often competing and sometimes contradictory needs, and I believe this legislation does so adequately. I commend the bill to the house, and I urge all members to support it.

Mrs FYFFE (Evelyn) — I am pleased to rise to speak for a few minutes on the Consumer Credit (Victoria) and Other Acts Amendment Bill. This bill amends the Consumer Credit (Victoria) Act 1995 in relation to the registration of credit providers; the Credit (Administration) Act 1984 to empower the director of Consumer Affairs Victoria to bring proceedings on behalf of consumers; the Fair Trading Act 1999 to re-enact certain provisions of the Credit Reporting Act; and the Residential Tenancies Act 1997 and the Sale of Land Act 1962. In the two or three minutes I have agreed to limit my speech to I will not cover all those areas, which have been covered by previous speakers.

There are three areas I would like to highlight. I am pleased that the bill now gives a person the right to appeal to a magistrate to compel credit agencies to correct errors in credit reporting. Over the years I have encountered this problem through meeting different people who have been unfairly disadvantaged because of mistakes made at the level of administration. Often it is only after a lengthy period of time that they actually find out why their credit application has been refused. To get any such errors changed has been extremely difficult, and in fact to change a debt that has been incorrectly listed as a bad debt when it has in fact been paid has also been very difficult, so that is a welcome enactment.

A change is proposed to the Retail Tenancies Act to protect what are now referred to as rent-to-buy contracts, which in the 1970s and 1980s were referred to as vendor terms contracts. Acting Speaker, I think you would remember how very popular they were in the late 1970s and early 1980s, when people who were desperate to get their own home bought these houses on vendor terms. I know that in my electorate in Seville, Seville East, Woori Yallock, Launching Place and Millgrove there are two or three small estates where low-cost houses were built and sold on vendor terms, and people would find after paying the agreed amount for two or maybe three years — but usually it was two years — that they in fact owed more on the property than the property was worth and they could not get housing finance. In effect, they had paid the vendor for two years, they had no equity in the property and they had spent money on establishing gardens and otherwise making the houses better, because a lot of those houses would certainly not pass the standards of today's home occupiers. It is a pity that that is still happening — that people are paying rent for a period of time in the hope that they are going to buy.

I know it is extremely difficult to protect people from themselves, and there will always be people who want things they cannot afford. The Acting Speaker himself mentioned the \$40 billion credit card debt in Australia, and when you look at that and you think about how many adults there are in Australia, it is an overwhelming amount.

This bill emphasises the responsibility of credit providers by way of their obligations. I wonder how we can manage the consumer who does not disclose all their obligations to a credit provider. Much merchandise is offered as buy now or have now and pay later. That means you can have an expensive leather lounge suite and not pay a cent for three years, but eventually that debt has to be repaid.

We see that people are getting into difficulties with mortgage repayments, and a lot of it is because they have either not fully disclosed their debt, or they have taken on extra debt that is not manageable at all when they are making the mortgage repayments, or it could be that they have lost their jobs. Greater protection is needed, but we will always have, I am afraid, people who will overextend themselves.

Before my couple of minutes finish I will raise a comment made by the minister in his second-reading speech. He stated that a consumer credit review was initiated:

... to ensure that all Victorian consumers — no matter what their circumstances — can get credit on fair terms.

I repeat 'no matter what their circumstances'. One of the reasons we are debating this bill is that some credit providers have been caught engaging in irresponsible lending practices, and yet according to the minister it would seem that the financial circumstances of an individual should have little to do with one's ability to secure a loan. I therefore seek clarification. Does the minister really mean that people should be able to access credit, no matter what their circumstances? If that is the case then really it is pointless talking about this legislation if you are going to make credit providers supply credit to people no matter what their circumstances.

Acting Speaker, I understand the time limit that was agreed to, so I complete my contribution by saying I will be supporting the bill.

Debate adjourned on motion of Mr NOONAN (Williamstown).

Debate adjourned until later this day.

ANNUAL STATEMENT OF GOVERNMENT INTENTIONS

Debate resumed from 26 February.

Dr SYKES (Benalla) — In my opening remarks last night I made three points. Firstly, Labor cannot manage money and it cannot manage major projects; secondly, Labor is divisive; and thirdly, Labor cannot be trusted. I will expand on why Labor cannot be trusted. Why should anyone believe the Premier's statement of government intentions when he and his city-centric mates have a history of walking away from written commitments, such as no tolls on the Scoresby freeway and no water to be piped from north of the Great Dividing Range to Melbourne?

If we then look at the statement of intentions, we see considerable effort has been devoted to reducing regulatory burdens and red tape — for example, less food safety regulations which will save the sausage sizzle, and secondly, fewer restrictions on community fundraising efforts such as the local chook raffle or lamington drive. This is great on the part of the Labor Party and makes for fantastic media reports, but what the Labor Party failed to mention is that many of the existing regulations and red tape were imposed by it, so it is just removing some of the impositions that it has imposed in its eight years of government.

If we then move on to the proposed national parks legislation, we see it will include increasing the term of the lease for the Mount Buffalo Chalet. That is something I strongly support, and I know the member for Murray Valley would strongly support that because the Mount Buffalo Chalet is an icon in north-eastern Victoria, especially in the Ovens Valley, and it underpins the local tourist economy. Historically there have been problems with the high costs of operating the chalet, including the high cost of energy, massive upgrade costs and concern about the short-term lease available for the chalet in comparison with leases available at alpine resorts. In fact the chalet closed early in 2007. Its reopening is dependent on, first of all, increasing the length of lease, which is proposed to be addressed, but secondly, reducing the energy and infrastructure costs.

While this legislation will address the lease requirements, we are still waiting for the minister's response to a report on energy costs, infrastructure costs and general business considerations which was presented to the minister prior to Christmas. It is time the minister acted and provided clear guidance to the people of north-eastern Victoria and the operators of the chalet, the Burbank brothers, by telling them what the future holds.

We then look at what the statement says about the police, and we see a proposal to increase the powers of the Office of Police Integrity. But still the government will not bite the bullet and set up an independent anticrime, anticorruption commission, which has been called for by The Nationals for several years now and which is now supported by the Police Association Victoria. We are also still waiting for the government to make public the information on the audit of police numbers which it undertook to deliver many months ago. We want to settle, once and for all, the debate about the difference between the numbers of police on the books versus the number of police on the beat. When that is settled we are confident it will be shown that our claim is correct.

I now move on to the issue of water. There is a section in the statement of intent which relates to ensuring water supply but the statement fails to correct the fundamentally incompetent approach to managing Victoria's future water needs. Let me explain. A generally recognised sound approach would start with a whole-of-basin overview such as a national water initiative which set out the principles. We would then have a plan for the Murray–Darling Basin. Then we would have an approach from a northern Victorian perspective. We would set up specific projects, and then we would distribute the water savings.

But what have we actually got? We have the principles of the national water initiative as developed by former federal Leader of The Nationals and Deputy Prime Minister, John Anderson, but then we move directly to the distribution of the water savings. Point no. 5 comes in before point no. 2 with this government. Then we think about some specific projects to deliver, albeit they are flawed because the savings are not there, and then in the last couple of weeks we have had a discussion paper released on the northern Victorian plan. What comes next? The score for this government on a logical approach to management is zero out of 10.

I move on with water. Today we heard an announcement about a supposed achievement of water recycling targets in excess of 22 per cent. But the announcement came with the usual government spin: that water is not actually being recycled to replace potable water, which is the critical point, but is water that is being recycled to use in plants. Again, the government has delivered spin over substance. I challenge the government to support The Nationals initiative for a recyclable water target bill based on the government's renewable energy bill, which would actually result in encouragement of the replacement and delivery of potable water with recyclable water.

If we look at emergency services, a bill was defeated in the upper house before Christmas. It included two fundamental aspects that need to be addressed. One was the fire services levy, which is an inequitable means of funding our fire protection. It is a levy which collects \$400 million from those people who choose to insure, whereas those who choose not to insure do not pay a brass razoo. Interestingly I attended a briefing yesterday and the Insurance Council of Australia strongly supports shifting from that inequitable tax to a property-based system, which is what The Nationals have proposed.

The other issue relates to the use of water — and the minister should listen to this — to fight fires on public land. The government needs to accept responsibility

and to legislate its responsibility to replace water used to fight fires on public land — water that is taken from private property to protect public assets. The minister should stand up and take action to deliver the water instead of making facetious remarks.

In summary, the statement of intentions is a commendable proposal, and I support it in principle. Unfortunately the track record of this government is that it cannot manage money and it cannot manage projects. It is a government which cannot be trusted and which is divisive. That leads me to conclude that this is just another example of city-Labor government spin that demonstrates a callous neglect of country Victorians.

Mr NOONAN (Williamstown) — I am very pleased to make a contribution to this annual statement of government intentions on behalf of my constituents in the Williamstown electorate, although I am likely to use fewer hand gestures than the member for Benalla in doing so.

As one of the newer members — in fact the newest member of Parliament — I have been a keen observer of the parliamentary process. In some respects I have had some trouble in coming to terms with why a statement such as this has not previously formed part of the process. Having worked in a range of occupations before entering Parliament in both for-profit and not-for-profit organisations — small, medium and large — one of the things that has always struck me is that those successful organisations have a vision and a plan. I see this as an opportunity to outline the plan. In the organisations I referred to plans are almost always done at the start of the calendar year or at the start of the financial year, and this statement would appear to be completely consistent with that.

The statement outlines in detail the government's priorities for implementing the policies for the year. In simple terms, I think it sets the course for the year. I commend the Premier on this initiative, as I do on the content of the statement. I think he has made it absolutely clear that in 2008 the government's priorities are going to be families, communities, jobs, water and climate change. In practical terms what I think this means is better schools, more money for public health services, addressing the needs of disadvantaged Victorians, providing more public transport services, easing congestion on our roads, creating new jobs, tackling climate change, securing our water future and of course creating safer communities.

I commend the Premier for continuing to look at education as the no. 1 priority. Since 1999 this

government has transformed public education in my electorate of Williamstown completely, so that the schools are currently experiencing full enrolments and unprecedented levels of support from our community. A total of \$34 million has been invested in upgrading, rebuilding or renovating the schools, including primary schools at Altona North, Altona Gate, Kingsville, Seaholme, Spotswood and Wembley, as well as our high schools including Williamstown and Bayside high schools, and not forgetting the Yarraville Special Development School, which performs a critical role in my electorate. These are all great schools staffed by great teachers and administrators.

In fact last year Williamstown High School received the highest recognition for its design as part of its redevelopment. As I said, it is a fantastic high school, and it enjoys full enrolment. On the occasions that I have visited the school, I have never seen a more engaged bunch of students. The teachers are to be commended for that. Other schools in my electorate were also recently recognised for their commitment to our environment, specifically through water conservation. I think these types of initiatives are terrific for our schools. They will pave the way for a better, cleaner and greener environment for generations to come.

I think it is worth pointing out that there have been two other significant achievements in the area of education in my electorate. In 1999 the average class size for prep to year 2 was 25.1 students. This dropped to 21.3 students per class in 2007. On top of that the number of teaching and administrative staff in public schools in my electorate has also increased by 30 per cent since 1999. This simply means there are more teachers and staff teaching smaller classes to engaged students in better schools with better facilities.

I want to spend some time focusing on the area of public health. Our local community in Melbourne's west is fortunate to be served by the Western Health Care Network. Western Health's catchment extends from Footscray out along the growth corridors to Caroline Springs and Melton, right up to Sunbury and down to Werribee. It is an enormous catchment of 650 000 people, and it is growing at 4 per cent per annum. As good as our health services are, we have some looming health issues in Melbourne's west. Unfortunately Victoria has the second highest rate of diabetes in Australia, and the incidence of diabetes in Melbourne's west is 16 per cent higher than in the rest of Melbourne. The Victorian government has committed \$100 000 to a group out in the west, and that group will raise awareness about the dangers of

diabetes and educate the population about healthier eating and lifestyle choices.

My local hospital is the Williamstown Hospital, which continues to provide a valuable service. There are plenty of people in the community who talk down the hospital, but it is the oldest suburban hospital in Victoria. It offers emergency, acute medical and surgical care, aged-care and rehabilitation services. In September 2006 a former Victorian Premier, Steve Bracks, who of course was the member for Williamstown, officially opened a new \$3.2 million emergency department at the hospital which was tremendously well received. My family has used the hospital. It has meant there is a better space for people, and there is also an isolation room to assist people who are suspected of having a contagious condition. More than 80 per cent of this hospital has been redeveloped over recent years, which has certainly provided enhanced facilities for the local residents.

There is a lot of discussion about numbers and data in the area of health. Critically, the investment in the Williamstown Hospital has resulted in more patients being treated. In fact the most recent statistics available for Williamstown Hospital show that 10 500 patients were treated in the six months up to the end of June 2007. That figure is up by 474 patients, which is almost 5 per cent above the previous six months, so there have been real tangible outcomes for the people of the Williamstown electorate. On top of that are very positive outcomes in the area of elective surgery, with 100 per cent of category 1 elective surgery patients treated within 30 days. I commend the work of the health professionals at Western Health for their continued commitment to the patients in our local area.

In the short time that I have left I want to make some comments about the government's efforts in making our community safer, focusing again on my electorate of Williamstown. In straight numbers there are now 124 uniformed police serving the Hobsons Bay policing area. This is, critically, 29 additional uniformed police, or a 31 per cent increase from 1999. The police do a fantastic job for our local community. I have met a great deal of them and they are doing a terrific job. There are also more police working in divisional operational roles, such as intelligence, crime and traffic task units, task forces, child abuse units and proactive programs. What has this meant for my local area? In simple terms it has resulted in a drop in the crime rate, which has been measured as having fallen 18.5 per cent since 2000. Again, these are tangible outcomes for the community.

I commend the Chief Commissioner of Police, Christine Nixon, and the Premier for recently releasing *The Way Ahead*, which sets the strategic direction for keeping our community safe over the next five years to 2013. I note as part of the announcement of The Way Ahead strategy the Premier and the chief commissioner announced four main goals for the state. These are: a 12 per cent reduction in crime, which is commendable; a much-needed reduction in the road toll and the incidence of road trauma; improved community confidence in Victoria Police; and finally, on top of that, ensuring the health, safety and wellbeing of the staff of Victoria Police. Even by the chief commissioner's admission, the five years ahead will be a challenge for the organisation, but with the commitment and dedication of all members of Victoria Police and the state government, I think these goals are achievable and will ultimately provide safer communities, not just for the residents of the Williamstown electorate but for the community broadly.

In closing, I commend the Premier on the statement of 5 February, in which he has put on the public record the priorities of the government for 2008. I can assure him the priorities that have been set will go a long way towards providing improved outcomes for the constituents in my electorate of Williamstown, just as the many great results, particularly in the areas of public health, education and policing that I have covered, have done since 1999. I commend the statement, and I look forward to making a similar contribution in future years, looking back on the previous 12 months and of course looking forward to the 12 months ahead as we go forward.

Mr K. SMITH (Bass) — It gives me no great pleasure to get up and speak on the annual statement of government intentions. One has to think that this has been one of the biggest cons of the current government under this Premier. This is an ego trip for him. He is probably one of the better show ponies that we have had as Premier. Former Premier Bracks was able to just go on and do what he did. The current Premier of course was the Treasurer then, and he got his once-a-year ego trip by being able to get up at budget time and deliver the budget speech, which made him the no. 1 show pony; that was fine. But now he is going to come in each year and deliver this annual statement of government intentions.

He says the government has revealed in the statement something like 60, 61 or 62 different pieces of legislation it is going to introduce into the house, but who could believe him? There is a little bit in here that also says, 'If we can', or, 'If it is possible we will

deliver this number of pieces of legislation', but the truth of the matter is this has just been a big con to get the Premier on his feet and give him the chance to show himself off to the media, who are usually in the press gallery. When the Premier delivered his statement we saw that the gallery was full of people; there were cameras up there and cameras here and reporters everywhere, because obviously the spin doctors that this socialist government has got in place were keen to make sure that they got everybody in here.

The one thing of course that detracted from it a bit was the demonstration from the ordinary people, who had come here complaining about what the government has done to them so far as the north-south pipeline is concerned, the desalination plant, genetically modified crops and the dredging of the bay. There were 15 or 20 representative groups out on the steps of Parliament House who then came into the public gallery and were thrown out, unfortunately, because of their behaviour.

I find it deplorable that the Premier got his public relations people to beat this up. When you look at it, you see the truth of the matter is that there is very little in the statement for anybody. It is all promises, and we know this government does not deliver on its promises. We know that it cons people into thinking it is going to deliver. It talks about a commitment of \$1.9 billion for education in the next four years. All I can say to the government is that it is really going to have to get on with trying to spend that amount of money — and it is not. The government announced one new school today. This government has been in office for about 12 months, and it announced one new school today. I can tell members I have five schools in my electorate of Bass that all need replacing. Maybe that is where the government can put some of the \$1.9 billion over the next four years. I bet it does not; I bet it will not deliver to the people of Bass because this mob is a pack of con artists.

The government talks about health. Warley Hospital was closed down about one month ago. This mob was not in the least bit interested in delivering any money to try to keep an accident and emergency ward going and unfortunately that brought about the demise of the hospital. It took away an opportunity for people who live on Phillip Island to be able to get to a health service that could have been delivered to the people and may have saved a life or two. But no, the government did not do anything about preserving our hospital.

Then there is Wonthaggi hospital. If the Minister for Health were in the house, I would let him know again — I let him know last week — that he has been conning the people about the amount of money that he

has been supposed to be putting into health. He keeps talking about the 96 per cent increase put into health and hospital facilities. I say to members that I got together all the annual reports of the Wonthaggi hospital or Bass Coast Regional Health, as it is now called, and I had a look. In fact in the period 2002 to 2007 inclusive this government put in a 30 per cent increase in the funds. Yet it keeps telling people it has put 96 per cent more money in.

I want to know where the hell my money has gone that should have been going into the Wonthaggi hospital. I want to know why money was not put in there to get doctors into the accident and emergency wards. There are no doctors there after hours or at weekends. Members may say that is okay, but let me say we are going to be servicing about 60 000 to 70 000 extra people at the Superbike World Championships next week. We have a permanent population of about 35 000 people on the island and we do not have an accident and emergency facility that those people can go to. They have to be carted off to Melbourne to Casey, Dandenong or Monash hospitals. Where is some of my money that is supposed to have gone into looking after that hospital? It is all a bit of a con.

A media release came out in 2000 — it goes back a little while — concerning the then Minister for Health, John Thwaites, and what a loser he was! Probably he was amongst the worst of the ministers that this government has ever had. The media release stated:

The health minister, John Thwaites, today officially opened the \$4.5 million redevelopment of the Wonthaggi and District Hospital.

...

Mr Thwaites said the state government had worked in partnership with the local community to deliver acute medical services in Wonthaggi.

Yes, he went down. He dragged good old Susan Davies around with him. I was down there for the opening. What he did not say was that that project was funded by the Kennett government. Yet this government reckoned that it could say it had actually done it. I can say it did not do it.

It is great to see the Minister for Health enter the chamber. I say to the minister what I previously said to the Acting Speaker: that we have been conned down there.

Mr Nardella — By you!

Mr K. SMITH — Not by me. The member should not talk about this with all the stuff the member for

Melton has going on in his electorate. He should not worry about that; we know what he has been getting and we know what we have not been getting down in our place. We have not been getting decent hospital care. I say to the minister I went back into the reports to find out just how much the government had put in. He knows it and he had the cheek to stand up on WIN TV last Friday night and say that he did not know where I had possibly got those figures from. The truth of the matter is I got them out of the hospital annual reports. It was not the 96 per cent the minister spoke about but 30 per cent, which is all the government has given to our hospital. We do not even have doctors there in the accident and emergency wards. It is a disgrace, what the government has done. The minister did not do anything about recognising the fact that the local doctors gave him six months notice that they were going to walk out from the accident and emergency wards because they could not stand it any more.

What did the minister do? He waited until the death knock to make a decision that the government might actually fund it. The minister waited six months before the hospital could get any funding to actually advertise for those doctors. Now he has left us in a position where we do not have doctors or any help for our people down there. People end up being taken by ambulance, which takes 5 hours by the time the ambulance gets up there, the time they sit and wait, and the time they get back. Ambulance drivers have been told that nobody from Phillip Island now can be taken to Wonthaggi hospital; they have to be taken straight to Melbourne. That is not good enough for society and the area that I live in. We are going to have 100 000 or more people down there this weekend. We want doctors in our hospital, and we want the doctors looked after.

The government can spend plenty of money on printing this sort of crap to bring into this house. It is an absolute disgrace what it does. I cannot understand how members opposite think they can continue to get away with this. We are not going to let them. We have a coalition here that is going to take them out of government in 2010. They will be sitting on this side of the house, although half of that lot over there will not even be there because they are going to be done like dinners. Maybe we will even get rid of the member for Melton, if his own people and factions do not. We will move him on. We do not want a commo government in this state. We do not want a union-controlled government. We want a government for the people and they are on this side of the chamber at this stage. We will be back in government and we will have doctors in Wonthaggi and we will deliver a decent service to the people, I can tell members now.

Honourable members applauding.

The ACTING SPEAKER (Mr Jasper) — Order! Clapping is not required in the Parliament.

Ms NEVILLE (Minister for Mental Health) — Unlike the member for Bass, it is with pleasure I rise to speak in support of the annual statement of government intentions. It is a really ambitious forward clear agenda that the Premier has outlined. It is the first time government has done anything like this. The member for Bass this evening talked about promises and not delivering. This is core delivery for Victoria. The reason it is called that is because this government delivers for Victoria. We promised more police and we have delivered more police. We did not cut 800 police in this state. We promised investment in hospitals and health services, unlike the former government that cut and closed 12 hospitals in this state and privatised aged-care facilities.

In my own community the McKellar Centre was ready for privatisation. This government has invested in that centre and kept it as a public hospital.

Mr K. Smith interjected.

Ms NEVILLE — We promised to invest in education and make it our no. 1 priority, and we have seen class sizes come down and more teachers in the system. I say to the member for Bass that it was his government that closed schools and sacked teachers. It is this government that has been delivering for Victoria. We can proudly stand up and say that this forward agenda is about further delivering for Victoria and building on our strong agenda. The key priorities for this agenda are built around investing in services that Victoria's families need, building stronger communities, keeping the economy strong, delivering on key infrastructure and working in partnership with the commonwealth government on national reform.

The Premier spoke in detail on what the government has achieved — and I have just outlined some of our key achievements in the last 8 years — and what we hope to achieve over the next 12 months. He referred to strong families and strong communities being the core and foundation of Victorian society, and I want to speak specifically on that point. We are delivering for the whole of Victoria, and the initiatives contained in the government's statement are about delivering for all Victorian families and continuing to support Victorian rural, regional and metropolitan communities.

Within my own portfolio areas of responsibility much has been achieved, but of course there is more to do if we are going to continue to strengthen families and

improve the safety of our children — and there should always be more to do. That is what governments are about — responding to the needs of our local communities as they change. I am proud to say that we continue to respond to those needs and to those challenges. In Victoria, for example — and I have responsibility for this — we are bedding down the final stages of the biggest and most ambitious reform this state has seen in the child and family welfare sector. This includes new legislation that enshrines in law the best interests of the child in our decision making, establishing the Office of the Child Safety Commissioner to drive greater awareness of child safety issues, setting up the Victorian Children's Council and creating a more integrated system of child, youth and family services. We have backed this up by delivering an increase in funding of over 93 per cent since 1999.

This government knows the benefits that stable, nurturing and responsive relationships have on the development of children, and this is based on a growing body of research that reinforces the view that significant benefits can be achieved through early intervention. Our focus is on early intervention and prevention measures that help families and children in our communities. We have already seen many positive results from our early intervention program in the reduction of child abuse notifications. The forward legislative program outlined by the Premier is focused on education, early childhood and a fairer Victoria that will continue to build and secure the future for many Victorians, particularly vulnerable Victorians.

We are also doing more for the thousands of Victorian families in which a parent has a mental illness. We want to change the culture so that when a person presents with a mental illness the response will take into account the impact on the family as well as on the individual. We have invested and will continue to invest in programs like the families where a parent has a mental illness, or FaPMI, strategy, which brings together services that support families and helps them deal with the consequences of mental illness. There is no doubt that if we leave mental illness untreated, children and young people risk ongoing problems which lead to school problems and family breakdown.

We have of course continued our focus on the areas of drugs and alcohol. The government is taking this issue very seriously, and we have already instituted significant reforms — for example, through the Liquor Control Act that was passed last year. We have seen the rising incidence of teen binge drinking and alcohol-fuelled violence. The government has established a ministerial task force to look right across

the board at the way the government responds to this issue, bringing together ministers who have responsibility for policing, for liquor licensing and also for the health responses that are very important. This will ensure that we have a whole-of-government response, and the legislative program we have outlined here today also indicates the way that we will move forward in better protecting people and responding to alcohol misuse in our local communities.

Of course we will continue our focus on the risks associated with the use of illegal drugs in our communities through our awareness campaign around the risks associated with using cannabis. We will continue our focus on amphetamines through our ice campaign, which is targeted very much at young people, to ensure they understand the risks associated with using this very dangerous drug, particularly its mental health consequences. We have invested very significantly right across the board in drug and alcohol services. We have doubled the number of drug treatment beds and cut waiting times for counselling and residential withdrawal. For supported treatment, waiting times are now less than one day. We have a strong record in this area, but of course the legislative program in front of us indicates our commitment to continuing to drive reform in relation to alcohol and drug misuse in our community.

I would like to take a moment to also talk about the achievements we have made in my own electorate of Bellarine. The member for Bass talked today about 'promises, promises'. It is this government that is delivering right across Victoria, and certainly delivering in my electorate of Bellarine — for example, just in the area of education we have more teachers. We have upgraded Newcomb Secondary College. We have upgraded and rebuilt Leopold Primary School and Wallington Primary School. We are in the process of rebuilding the Point Lonsdale Primary School. We are putting money into schools like the St Leonard's, Portarlington and Moolap primary schools. I should also mention a school that was about to be closed — the Ocean Grove campus of the Bellarine Secondary College. We promised to keep that school and to rebuild it, and that is what this government did. It delivered for the residents of the Bellarine Peninsula.

We now have more police on the Bellarine Peninsula and a new 24-hour police station at Ocean Grove. We have also invested in road safety initiatives with traffic lights — for example, the new lights at Christies Road, Portarlington. We have invested in roundabouts and in the new lights that will be put into the Portarlington–Curlewis roads intersection. We have invested in sporting and community facilities like the

Queenscliff Sports Club, the Newcomb Netball Club, tennis clubs and bowls clubs —

Business interrupted pursuant to standing orders.

ADJOURNMENT

The ACTING SPEAKER (Mr Nardella) — Order! The question is:

That the house do now adjourn.

Rail: north-eastern Victoria

Mr TILLEY (Benambra) — I wish to raise a matter for the Minister for Public Transport. I ask that she take action regarding the appalling situation of V/Line services on the north-eastern line to Albury via Benalla, Wangaratta and Wodonga. I ask the minister to provide more funding to ensure the return of full passenger rail services on the north-eastern line. The latest development is that from Monday, 25 February, a majority of V/Line services now terminate at Wangaratta, and passengers need to disembark and board a coach. Elderly people, mothers with young children and people with health conditions find it particularly difficult having to embark, disembark and move luggage about.

The neglect of the broad gauge line for several years has led to this unacceptable situation. It should never have got to this point, and I do not accept for one moment, nor do the people of the north-east, that it has anything to do with the lessee or with privatisation. This has occurred under the watch of the Bracks and Brumby governments. They should have controlled it and ensured that the lessees were kept to their contract and that they maintained the rail line during the time that Pacific National conducted its operations on the broad gauge line.

Mr Jasper interjected.

Mr TILLEY — They have been trying for years — absolutely. It is simply not good enough, and we are not convinced that this government is really paying any particular attention whatsoever.

V/Line encouraged family travel by introducing a family special fare for the month of January, but what parents wanted was the choice to take their families on a V/Line service. During that time there were air conditioning failures; kiosk closures; toilets emptied at the platform; overflowing, unclean and unsanitary toilets; effluent leaking over carriage floors due to the

complete malfunction of toilets; lighting failures; and speed restrictions.

This is the worst dual-gauge corridor in the world. There are only 200 kilometres requiring conversion, and it would be a sound decision to ensure that passenger rail travel in Victoria does not continue for another 40 years on this antiquated service. The standard gauge XPT that runs between Sydney and Melbourne is only five years younger than the current V/Line service. Other places in the rest of the world with a worse service include Greece, which has 23 kilometres of it, and Western Australia has another poor standard dual broad gauge line.

I call on the minister to approve an upgrade by the Australian Rail Track Corporation and to top up the payment so that an acceptable service can be provided to the residents of the north-east. The people of the north-east are entitled to an appropriate and proper option of rail travel.

Consumer affairs: plastic products

Mr BROOKS (Bundoora) — I wish to raise a matter for the attention of the Minister for Consumer Affairs. The action I seek is that the minister have Consumer Affairs Victoria investigate the effects of the chemical bisphenol A, certain phthalates and any other potentially harmful chemicals in the use of domestic plastic products, particularly where there may be an impact on young children. I have recently seen a number of reports and studies on these chemicals which are used in the production of plastics, relating particularly to certain phthalates and bisphenol A.

Some studies have shown that bisphenol A can have a hormone-disrupting effect on humans, and phthalates have been linked in some studies to developmental problems and reproductive and genital defects. These chemicals are used in a wide range of domestic plastic applications such as food and drink containers and toys. There seem to be a number of scientific studies providing evidence that these have harmful effects, but there are also a number of studies conflicting with that advice. As such it is important for the Victorian government to investigate this matter and provide some clarity for Victorian consumers.

I note that in the United States of America, California has recently signed into legislation a ban on the use of certain phthalates in plastic products intended for use for children between the ages of zero and three. I seek the minister's assistance. I hope Consumer Affairs Victoria takes a rational and scientific-based approach to this investigation and ensures that people have

confidence that the compounds and chemicals used in plastics are safe.

Water: irrigators

Mr CRISP (Mildura) — The action I seek is that the Minister for Water ensure that there is capacity in Lake Victoria this winter to store Victoria's share of the water to supply South Australia in 2008–09. Victorian irrigators below Swan Hill face the risk of water restrictions due to the current good flows in the Darling River. Water can be stored in the Menindee Lakes in western New South Wales. The capacity of the lakes is about 1680 gegalitres, and New South Wales controls the storage up to 640 gegalitres. On the New South Wales-South Australian border, Lake Victoria has a storage capacity of 680 gegalitres.

The Lake Victoria water account allows for New South Wales, Victoria and South Australia to hold water in storage. New South Wales and particularly Victoria swap this stored water with South Australia for upstream water and channel capacity to meet peak summer demand. Victoria transfers water in September-October each year to ensure summer security for Victorian irrigators downstream of Swan Hill. If Lake Victoria is full of New South Wales water and South Australia does the upstream swap with New South Wales — and why would they not, after the 'backwater' comment by the Victorian Premier — there will be a risk that Victoria will not be able to supply the peak season demand, causing pumping restrictions downstream of Swan Hill.

New South Wales high security entitlements are about 200 gegalitres. If, for example, New South Wales has 600 gegalitres in Lake Victoria, then that state will have 400 gegalitres for its general security irrigators. Thus Victorian Murray irrigators could be forced to buy New South Wales water to supplement the low allocation outlook should there be less than average rains in the Murray Valley. There could be a very high price to pay for the Premier's intemperate language regarding a neighbouring state. That high price could be that Victorian irrigators below Swan Hill will suffer supply restrictions. This pain will be made worse by the knowledge that this government has not acted to commission Lake Boga as a midstream storage in the short term and refuses to consider the construction of Big Buffalo dam as a long-term solution to the peak season requirements in the Murray Valley below Swan Hill.

Country Victorians deserve better. I look forward to the minister's response with regard to ensuring supply

restrictions do not occur during the peak season in 2008–09.

Buses: Yan Yean electorate

Ms GREEN (Yan Yean) — I wish to raise a matter for the attention of the Minister for Public Transport, and the action I seek is that she deliver improved bus services in my electorate, particularly in the evenings and on Sundays. As I have said many times in this place, I have a rapidly growing electorate, with two growth corridors, many young families and many teenagers. They have quite a bit to do locally; there are some great parks and good activities, but there is also a need for young people to get out and socialise, go to the movies, go to the city, and for older people to be able to access medical services and visit the grandkids et cetera.

Communities should be able to expect to have bus services on a Sunday, but the communities of Research and North Warrandyte do not have Sunday services. Although we replaced some evening and Saturday services that were removed under the Kennett government, there is room for improvement along those corridors. In the wonderful Mill Park Lakes estate a number of people have said that they would benefit greatly from Sunday services.

I would like to commend the minister for the two reviews of bus services in Nillumbik and Whittlesea that she has funded in my electorate. I commend community members who got involved in the workshops, and also the bus companies, community organisations and local community groups which had their say about where they felt bus services would most benefit the community. The community has spoken quite loudly about wanting these improvements, and the community building initiative that we funded in Whittlesea township had a very active transport working group. I know they would certainly welcome some bus service improvements.

I ask the minister to examine this issue closely, particularly the recommendations of the Whittlesea and Nillumbik bus reviews, and to continue to deliver bus service improvements to the Yan Yean electorate.

Police: Mornington Peninsula

Mr MORRIS (Mornington) — The matter I raise this evening is for the attention of the Minister for Police and Emergency Services. I draw the minister's attention to recent comments by the assistant secretary of the Police Association, Bruce McKenzie, that Mornington Peninsula police are among the state's

worst resourced, which has led to a culture of reactive policing and poor morale. We hear in this place, day in, day out, that police numbers have increased, and I do not doubt that to be true in aggregate. But the minister must know there is a huge difference between the number of operational police allocated to a station and the number actually available for duty. It is not unusual for up to one-third of members allocated to a station to be unavailable for the roster. The action I seek is that the minister meet with the Chief Commissioner of Police to ascertain when the full complement of police allocated to stations on the Mornington Peninsula will be 100 per cent available for duty.

The facts are very simple. For a variety of legitimate reasons sworn members of Victoria Police may not be available for duty. This may be for short periods because they are away training, they are on sick leave, they are on recreation leave or perhaps they are even undertaking higher duties. If you have a sergeant filling in for a senior sergeant and a senior constable filling in for the sergeant, then there is a hole in the front line. Not only are these short-term vacancies not filled but much longer absences — when positions are vacant because officers are on stress-related leave or maternity leave — are also left unfilled. We heard as recently as this afternoon the claim that this government really cares about our policemen and women. That is just so much hypocritical cant. If the government really cared about our police, it would not let a hard job become even harder because every shift is shorthanded.

Recently over 200 people came together on a working day to indicate their concerns about public safety on the Mornington Peninsula. Two headlines from that meeting tell the tale: 'Cops reel under stress' in the *Mornington Peninsula Leader* and 'Copping it tough' in the *Mornington and Southern Peninsula Mail*. If the minister wants to know what coppers on the ground think about the circumstances, he should study both articles closely, because members of the force and the minister are worlds apart — and I know who I believe.

The anecdotal evidence is backed up by the facts: in the last six years assaults on the Mornington Peninsula have risen by over 100 per cent and rapes have risen by 136 per cent. Twice as many people are being assaulted and far more than twice as many people are being raped on this government's watch, yet it continues to claim that the crime rate is down. Ordinary police members and the community are sick to death of the spin. They are sick to death of the statistical manipulation. When will the minister do what he is paid to do and provide adequate resources so police can do their job properly?

Reema Reserve, Endeavour Hills: lighting

Mr DONNELLAN (Narre Warren North) — I rise tonight seeking action from the Minister for Sport, Recreation and Youth Affairs. The action I seek is for the minister to give serious consideration to the application from the Endeavour Hills United Soccer Club, through the City of Casey, for a minor facilities grant to extend and upgrade the Reema Reserve soccer pitch. The club has a membership of some 500 persons and fields teams in both senior and junior ranks for both female and male competitions. Currently they are using one senior and one junior oval at Reema Reserve. With a club of this size they are finding it difficult to provide ground space for all teams. Further, the club also allows the Gleneagles campus of Eumemmerring Secondary College to run its physical education program and sports days at Reema Reserve. The ground has only one light tower with three lamps, which does not allow safe training at night. Extra lighting would obviously allow safer training at the ground and possibly expand the space in which the club could train.

The application is well supported by local members including the federal member for Holt, Anthony Byrne, MP, and Adem Somyurek and Bob Smith, members for South Eastern Metropolitan Region in the other place. The club has a long history of welcoming members from all communities and has a very strong following in the East Timorese community. For many years this was one of the most important social environments for members of that community living in the south-east. This proposed application may go some way to meeting the enormous shortfall in the provision of sporting facilities in the local area. Endeavour Hills has very limited facilities for playing soccer. I meet frequently with community leaders from the Afghan community and the like and often the discussion turns to facilities for younger people wishing to play soccer. Today I could identify at least four teams with no place or limited places in which to play soccer. Casey has let its residents down badly, especially when you consider that it is cheaper in terms of rates to own a house in Brighton, Toorak or South Yarra than in Casey. I seek the minister's sympathetic consideration of this request.

Motorists: demerit points

Mr THOMPSON (Sandringham) — I seek the opportunity to lead a deputation of 250 local motorists to the Minister for Police and Emergency Services to seek answers to a range of questions that have been canvassed in this place by way of questions on notice lodged four or five months ago and to which to date no answers have been received. They are important issues which relate to people's accumulation of points, which

may lead to a loss of licence and a loss of livelihood. I note that some people within a family have incurred three-point fines three times within the space of a matter of weeks. This has a serious impact on working families in the south of Melbourne and on their household budgets.

Questions that need to be answered include when the cameras were installed, how many infringement notices might have been issued to motorists completing turns, whether the additional time and slower speed required to complete the turns was taken into account in issuing infringement notices, whether there is any plan to adjust the time for the amber light, taking into account the volume of fines imposed, and how the number of fines might compare with comparable intersections. We want to know whether any or all of the red-light cameras at the intersection were serviced immediately following the publication of complaints, whether any regularities were identified with the intersection's cameras, whether any changes were made to the sequencing of any of the cameras when they were serviced, and when the red-light turn arrow was first installed. I have asked what the varying time allowances for the green, amber and red arrows were between 1 June 2007 and 5 September 2007, with details of any adjustments made to the time allowed for the operation of the amber arrow.

We want to know the volume of accidents at the intersection in 2002–03, 2003–04, 2004–05, 2005–06 and 2006–07. How many motorists received infringement notices between the date the cameras were installed and 9 October 2007, and how much revenue in infringements has been paid to the government? How many motorists have applied to Civic Compliance for internal reviews of infringement notices? How many motorists have been successful in obtaining internal reviews of infringement notices? With reference to the amber light settings for right-hand turns at the intersection of Nepean Highway and Bay Road, Cheltenham, we want to know when the timing was last changed and what the time phases were for the amber light in 2006 and 2007. A number of cases will be proceeding to court in the not-too-distant future and will be heard at the inaptly and ineptly named Moorabbin courthouse. People are turning up to the Moorabbin police station rather than the new Moorabbin Justice Centre, which should have been called the Hihett justice centre or the Kingston justice centre.

Strathmore Bowling Club: synthetic green

Mrs MADDIGAN (Essendon) — I have a matter that I would like to raise with the Minister for Sport,

Recreation and Youth Affairs. It relates to a bowls club in my electorate, the Strathmore Bowling Club. The Strathmore Bowling Club has a very fine history in Loeman Street, Strathmore. It has been operating for many years, providing great service for the residents of that area. Like many other bowling clubs it is suffering from a lack of water and the increasing cost of maintaining greens.

Mr Mulder interjected.

Mrs MADDIGAN — Thank you very much. If you could just take it out to Strathmore for me, that would be really good.

The Strathmore Bowling Club is therefore looking at installing artificial turf. This application is strongly supported by the Moonee Valley City Council. At the moment the club has only a very small synthetic green and is seeking a much larger one — the development of a 37-metre by 37-metre synthetic green that will enable the club to develop a new range of participation initiatives. These synthetic greens are very effective. In fact one of my other bowling clubs, the Aberfeldie Bowls Club, has recently installed one. Apart from saving water for clubs, these greens mean clubs can make significant financial savings as they do not need the same sort of attention from greenkeepers as traditional greens. The Strathmore Bowling Club is a very hardworking club. It has great community support, and I ask the Minister for Sport, Recreation and Youth Affairs if we as a government can assist it in installing a synthetic green.

Public transport: Bulleen park-and-ride facility

Mr KOTSIRAS (Bulleen) — I raise a matter for the attention of the Minister for Public Transport. I ask the minister to reject the plan to build another park-and-ride facility in Bulleen and to investigate alternative strategies to alleviate Victoria's chronic transport problems in the eastern suburbs.

There are currently two park-and-ride facilities in Manningham. One is at the corner of Doncaster Road and High Street and the other one is at the junction of Thompsons Road and the Eastern Freeway. The Doncaster park-and-ride accommodates 430 vehicles, and on weekdays it cannot accommodate all the vehicles of people who wish to use it. This causes an overflow of parking into adjacent streets, causing problems to many local residents.

Three options have been investigated by VicRoads and the Department of Infrastructure, Parks Victoria and the National Bus Company. These include a second level

of parking over the existing car park at the Doncaster park-and-ride, a new facility at the old drive-in site at Bulleen, or a new facility at Kampman Reserve. The problem is that Kampman Reserve can accommodate only 110 car spaces, which is very limited. The Bulleen drive-in site is owned by the Greek community of Melbourne and Victoria, and the last time I checked with them I think they were asking somewhere in the vicinity of between \$20 million and \$25 million for this site. The other option, as I said, is to increase the Doncaster park-and-ride. Currently it has 430 car parking spaces and if it were to accommodate more, perhaps that might be more appropriate than the option at Kampman Reserve.

Our residents do not want Bulleen to become a car park. Our residents do not want our electorate to become known as the place to park. The majority of current users of the Doncaster park-and-ride come from outside Manningham. Why should local residents have their lifestyle, wellbeing and living standards lowered simply because this government and this minister are inept in coming up with alternative ways of alleviating our transport problems?

This government must not ignore the needs of local residents. They should not sit in their ivory towers and simply build something at the expense of the wellbeing of local residents. I urge this minister to reject the plan to build another park-and-ride in Bulleen and perhaps do something different, come up with a new initiative on how to alleviate the transport problems in the eastern suburbs. If they need to build more car parking spots, perhaps they should look at the Doncaster park-and-ride, which is already there. Perhaps they can work in with the local residents to ensure that their — —

The ACTING SPEAKER (Mr Nardella) — Order! The honourable member's time has expired.

Consumer affairs: lottery scams

Mr SCOTT (Preston) — In tonight's adjournment debate I rise to bring to the attention of the Minister for Consumer Affairs an issue relating to postal lottery scams. The action I seek is that the minister institute further public education regarding these scams to prevent people falling victim to them.

I was horrified when an elderly pensioner who had limited English excitedly approached my office regarding a win of \$70 900 that they had received from the International Prize Award Committee. Needless to say, this prize was completely bogus and they had never actually entered the lottery in question. The letter

was heavily personalised. It was designed specifically to elicit a response with a number of localisations to it and it had an accompanying brochure with photos of previous winners and other information which was designed to fool the individual into believing they had won a prize.

What was most disturbing about this particular incident is that, as I own an email account, as many others would, I regularly receive spam mail regarding such prizes. I think most people who have an email account would know that these prizes are bogus. However, the person who came to my office does not use the internet. The person received this by mail and was not aware of these scams and, further, it was quite difficult to convince them to even seek advice from consumer affairs regarding this issue because I am sure that in a way they would prefer to believe they had won the money rather than face the reality that it was a scam. Even more disturbing was the fact that this was a person of very limited means and they had already sent, I think, \$55 to these particular scam artists, who of course operate offshore.

Regulating and dealing with such matters is difficult because most of these scam artists do not operate within Australia but internationally and so are beyond the jurisdiction of Victoria. However, I believe more education is required, particularly for postal scams. Whereas any user of the internet will soon become aware of such scams, I think there is a large number of people in the community who have less knowledge of this sort of confidence trick than most people who have an internet connection would be aware. I urge the minister to take action to ensure that consumers in Victoria, particularly those who would not have access to the internet, are aware of these sorts of scams.

Responses

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — The member for Narre Warren North raised a project at Reema Reserve in Endeavour Hills which would extend the soccer pitch and install additional lighting. I want to note that the member has been in regular touch with me over this project and it is one that certainly has merit. I have visited this part of Melbourne many times over the last year. It is an area where demand is always increasing, and this means that as a government we must continually look to reinvest in community facilities to ensure that we do not turn kids away from the opportunity to play sport. This is particularly important in terms of the issue that the member for Narre Warren North raised — the ability of a sport like soccer to engage with emerging newly arrived migrants and refugees from Afghanistan,

Somalia and Sudan. It is really important that we invest in these types of facilities, not only to meet demand but also to engage with communities. I want to assure the member for Narre Warren North that I take on board his support for this project and I will take it into serious consideration when the project comes across my desk.

The member for Essendon raised an application for funding of a synthetic green for the Strathmore Bowling Club. The member's electorate is rich in sporting clubs, whether that is at the elite level of the Essendon footy club and the Essendon Maribyrnong Park women's cricket team that has a number of state representatives on that team or the grassroots level. The Essendon Croquet Club which I visited last year is a great example of grassroots sport.

I have been overwhelmed with applications for synthetic surface projects right across the state, particularly from bowling clubs, which really highlights that clubs are beginning to change their thinking when it comes to combating the drought's effect on sport. I realise how useful this project will be for the Strathmore community and I will take the member for Essendon's support into very serious consideration in relation to that project.

Both these applications are under the community facility funding program — a program that underpins Victoria's mantle as the community sporting capital of Australia. Along with the country football netball program, our facility grants reach every part of the state. They have previously enjoyed support from The Nationals who have said that these grants 'provide invaluable support to the vital volunteer networks who strive so hard to keep our clubs going'. I absolutely endorse those comments. I only hope this level of support continues in the light of the new coalition arrangements outlined to the house yesterday, or will The Nationals revert to rolling over, as is their wont in coalition?

The reason I raise this is that the Liberal Party does not care about country sport, which is a point clearly made in their most recent policy documents. This is what the Liberal Party took to the last election: no plans to continue the hugely popular country footy netball program or the country action grant scheme or the VicTalent scheme.

In terms of our nine regional sports assemblies, had the Liberals won they planned to axe three of those assemblies and re-establish them in the suburbs of Melbourne. This is the kind of attitude that delivered only \$6.5 million per annum under the community facilities program compared to \$16 million per year

under the Brumby government. The coalition has never cared about grassroots sport — it never has and never will — and through this coalition arrangement, The Nationals have sold out every single sporting club that they claim to represent. Only the Brumby Labor government can be trusted to keep community sport front and centre. Whether that be through the \$1000 uniform grant or the biggest multimillion-dollar pool upgrade, Labor will continue to deliver for grassroots sport. I will take into serious consideration the two projects that have been identified tonight by the members for Narre Warren North and Essendon.

Mr ROBINSON (Minister for Consumer Affairs) — The member for Bundoora raised a very interesting issue — quite a compelling issue — in relation to product safety and, in particular, plastic safety. I understand the member has raised some concerns about evidence emerging in California about efforts there and in a number of states beyond California to ban products or to prohibit products known as bisphenol A and some phthalates. I do not know what the chemical properties of phthalates are, but both those products are used in plastics manufacturing of such things as babies bottles, teething rings and the like. The member has asked that Consumer Affairs Victoria take note of this emerging research and investigate whether bans are appropriate here as well.

I am happy to advise the member that Consumer Affairs Victoria is aware of these developments overseas and that the agency has been working with a federal agency which is known as the National Industrial Chemicals Notification and Assessment Scheme — known as NICNAS, by the way. This agency, which is part of the federal Department of Health and Ageing, is currently reviewing the risk levels of 25 different phthalates most commonly used in Australia. I am not certain at this stage whether the phthalates used commonly in California and other American jurisdictions are the same as those used here, so I would not presume that at this stage. Nevertheless, because the matter is being examined by this organisation at the commonwealth level, Consumer Affairs Victoria will defer to that investigation and will not try to duplicate it, but it will stay in touch with the agency.

On the matter of whether the agency in Victoria would have the power to ban products made of or comprised of these identified materials, I can advise the member that in fact that would not be possible at this stage because the trigger point in Victoria under the Fair Trading Act relates to materials which are likely to cause death or serious injury, and much as we do have

some concerns based on what is emerging in the United States, we could not confidently say that that threshold has been passed. Nevertheless it is a very important issue, and it demonstrates the necessity of the role played by Consumer Affairs Victoria and other like agencies across Australia, and indeed the role of the federal Department of Health and Ageing through the National Industrial Chemicals Notification and Assessment Scheme. I will make sure that my department stays in touch with the member for Bundoora and brings him up to speed if there are developments in the next little while.

The member for Preston raised a very important issue as well relating to postal lottery scams. Most members would be familiar with the sorts of scams that are being run that the member referred to. We get lottery scams in two forms — via the internet and via the more traditional form. Not surprisingly, the more traditional form of postal service is the preferred means for targeting older consumers and older residents, because they are more likely to accept that as a form which has greater authenticity than the internet. Many of them, as the member has pointed out, do not use the internet.

With respect to the scam that he has identified, all I can do is encourage the member to have the resident contact Consumer Affairs Victoria and to pass on the details. I think in all probability the member is right that this is a scam which has originated overseas, and it would in all probability be a difficult one to trace directly, but nevertheless all the information that CAV can gather on these sorts of scams does assist in building a picture and a profile of contemporary activity, and that can only be a good thing. We would encourage residents such as the resident to whom the member has referred to always pick up the phone and report these suspicions to CAV on its number — 1300558181.

On the broader point that the member has raised about the need for further awareness raising, I can assure him that CAV will do that. CAV is actively involved in Fraud Fortnight 2008, the national campaign which kicked off last weekend and which will run across Australia for another week and a bit. It is worth knowing that in Victoria scams cost Victorians about \$130 million a year, but the salient point is that a vast number of them are never reported, and that is because none of us likes to admit that we have been taken down, that we have been misled and that we have parted with our hard-earned money in a way which, upon reflection, is incredible. We cannot believe that we were so gullible. That is a real problem in trying to build a more accurate picture as to the extent of scamming in Victoria. Nevertheless Consumer Affairs Victoria will continue to work actively in promoting the

awareness of consumers about how easily they can be misled, whether it be through internet email scams or whether it be through the traditional door-to-door scams, or indeed through — —

Mr Thompson — Slow horses?

Mr ROBINSON — They are a scam of another dimension altogether, and I have had experience of those beasts; yes, indeed. The member for Sandringham might need to talk to me further about that at another point in time.

Whether it be any sort of scheme, we do need to raise awareness amongst consumers. I appreciate the interest that the member for Preston has taken on this issue.

The ACTING SPEAKER (Mr Nardella) — Order! The Minister for Sport, Recreation and Youth Affairs to respond to the remaining matters raised by honourable members.

Mr Kotsiras — On a point of order, Acting Speaker, we have had four government members whose adjournment matters were responded to by the appropriate ministers.

The ACTING SPEAKER (Mr Nardella) — Order! What is the member's point of order?

Mr Kotsiras — Five members from this side have requested some answers from the ministers, and yet the ministers are not present in the chamber.

The ACTING SPEAKER (Mr Nardella) — Order! That is correct.

Mr Kotsiras — It is another example of this government being arrogant — —

The ACTING SPEAKER (Mr Nardella) — Order! There is no point of order.

Mr Kotsiras — It is another example of this government not being prepared to answer to the Parliament.

The ACTING SPEAKER (Mr Nardella) — Order! I ask the member to sit down. The minister to respond to all other honourable members.

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — The members for Benambra, Yan Yean and Bulleen raised matters for the Minister for Public Transport; the member for Mildura raised a matter for the Minister for Water; and the members for Mornington and Sandringham raised matters for the Minister for Police and Emergency Services. I will refer

those matters to the relevant ministers for their response.

The ACTING SPEAKER (Mr Nardella) — Order! The house is now adjourned.

House adjourned 10.39 p.m.

Regional Infrastructure Development Fund Expenditure
2000/01 to 2007/08

\$ million

	Expenditure <i>Target</i> for coming year as announced in Budget	<i>Expected</i> Expenditure for year announced in following Budget	<i>Actual</i> expenditure as reported in subsequent Budget
2000/01	58.2	26.4	6.9
2001/02	91.2	61.7	28
2002/03	132.1	48.4	36.1
2003/04	86.5	87.5	43
2004/05	78.7	76.7	36.4
2005/06	36.8	64.2	48.6
2006/07	97.2	116.0	
2007/08	92.2		

Source: Budget Paper No 3

