

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE ASSEMBLY
FIFTY-SIXTH PARLIAMENT
FIRST SESSION**

Wednesday, 10 June 2009

(Extract from book 7)

Internet: www.parliament.vic.gov.au/downloadhansard

By authority of the Victorian Government Printer

The Governor

Professor DAVID de KRETZER, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

Premier, Minister for Veterans' Affairs and Minister for Multicultural Affairs	The Hon. J. M. Brumby, MP
Deputy Premier, Attorney-General and Minister for Racing	The Hon. R. J. Hulls, MP
Treasurer, Minister for Information and Communication Technology, and Minister for Financial Services	The Hon. J. Lenders, MLC
Minister for Regional and Rural Development, and Minister for Skills and Workforce Participation	The Hon. J. M. Allan, MP
Minister for Health	The Hon. D. M. Andrews, MP
Minister for Community Development and Minister for Energy and Resources	The Hon. P. Batchelor, MP
Minister for Police and Emergency Services, and Minister for Corrections	The Hon. R. G. Cameron, MP
Minister for Agriculture and Minister for Small Business	The Hon. J. Helper, MP
Minister for Finance, WorkCover and the Transport Accident Commission, Minister for Water and Minister for Tourism and Major Events	The Hon. T. J. Holding, MP
Minister for Environment and Climate Change and Minister for Innovation	The Hon. G. W. Jennings, MLC
Minister for Public Transport and Minister for the Arts	The Hon. L. J. Kosky, MP
Minister for Planning	The Hon. J. M. Madden, MLC
Minister for Sport, Recreation and Youth Affairs, and Minister Assisting the Premier on Multicultural Affairs	The Hon. J. A. Merlino, MP
Minister for Children and Early Childhood Development and Minister for Women's Affairs	The Hon. M. V. Morand, MP
Minister for Mental Health, Minister for Community Services and Minister for Senior Victorians	The Hon. L. M. Neville, MP
Minister for Industry and Trade, and Minister for Industrial Relations	The Hon. M. P. Pakula, MLC
Minister for Roads and Ports, and Minister for Major Projects	The Hon. T. H. Pallas, MP
Minister for Education	The Hon. B. J. Pike, MP
Minister for Gaming, Minister for Consumer Affairs and Minister Assisting the Premier on Veterans' Affairs	The Hon. A. G. Robinson, MP
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 Napthine, 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 Lupton, Mr McIntosh and Mr Walsh. (*Council*): Mr D. Davis, Mr Hall, Mr Jennings, Mr Lenders and Ms Pennicuik.

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

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

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 P. Davis 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*): Ms Kairouz, Mr Noonan, Mr Perera, Mrs Powell and Ms Wooldridge. (*Council*): Mr Finn and Mr Scheffer.

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, Mr Foley and Mrs Victoria. (*Council*): Mrs Kronberg 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 Munt, Mr Noonan, Mr Scott, Mr Stensholt, Dr Sykes and Mr Wells. (*Council*): Mr Dalla-Riva, Ms Huppert, Ms Pennicuik and Mr Rich-Phillips.

Road Safety Committee — (*Assembly*): Mr Eren, Mr Langdon, Mr Tilley, 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.

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Dr S. O'Kane

MEMBERS OF THE LEGISLATIVE ASSEMBLY

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, Ms Munt, Mr Nardella, Mr Seitz, Mr K. Smith, Dr Sykes, Mr Stensholt and Mr Thompson

Leader of the Parliamentary Labor Party and Premier:

The Hon. J. M. BRUMBY

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. R. J. HULLS

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

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

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	Lindell, Ms Jennifer Margaret	Carrum	ALP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Lobato, Ms Tamara Louise	Gembrook	ALP
Asher, Ms Louise	Brighton	LP	Lupton, Mr Anthony Gerard	Prahran	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	McIntosh, Mr Andrew John	Kew	LP
Barker, Ms Ann Patricia	Oakleigh	ALP	Maddigan, Mrs Judith Marilyn	Essendon	ALP
Batchelor, Mr Peter John	Thomastown	ALP	Marshall, Ms Kirstie	Forest Hill	ALP
Beattie, Ms Elizabeth Jean	Yuroke	ALP	Merlino, Mr James Anthony	Monbulk	ALP
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
Brooks, Mr Colin William	Bundoora	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
Brumby, Mr John Mansfield	Broadmeadows	ALP	Munt, Ms Janice Ruth	Mordialloc	ALP
Burgess, Mr Neale Ronald	Hastings	LP	Naphthine, Dr Denis Vincent	South-West Coast	LP
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 ⁵	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
Crutchfield, Mr Michael Paul	South Barwon	ALP	Overington, Ms Karen Marie	Ballarat West	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Pallas, Mr Timothy Hugh	Tarneit	ALP
Delahunty, Mr Hugh Francis	Lowan	Nats	Pandazopoulos, Mr John	Dandenong	ALP
Dixon, Mr Martin Francis	Nepean	LP	Perera, Mr Jude	Cranbourne	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Pike, Ms Bronwyn Jane	Melbourne	ALP
Duncan, Ms Joanne Therese	Macedon	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
Eren, Mr John Hamdi	Lara	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Foley, Martin Peter ²	Albert Park	ALP	Robinson, Mr Anthony Gerard	Mitcham	ALP
Fyffe, Mrs Christine Ann	Evelyn	LP	Ryan, Mr Peter Julian	Gippsland South	Nats
Graley, Ms Judith Ann	Narre Warren South	ALP	Scott, Mr Robin David	Preston	ALP
Green, Ms Danielle Louise	Yan Yean	ALP	Seitz, Mr George	Keilor	ALP
Haermeyer, Mr André ³	Kororoit	ALP	Shardey, Mrs Helen Jean	Caulfield	LP
Hardman, Mr Benedict Paul	Seymour	ALP	Smith, Mr Kenneth Maurice	Bass	LP
Harkness, Dr Alistair Ross	Frankston	ALP	Smith, Mr Ryan	Warrandyte	LP
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
Holding, Mr Timothy James	Lyndhurst	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Thwaites, Mr Johnstone William ⁶	Albert Park	ALP
Hudson, Mr Robert John	Bentleigh	ALP	Tilley, Mr William John	Benambra	LP
Hulls, Mr Rob Justin	Niddrie	ALP	Trezise, Mr Ian Douglas	Geelong	ALP
Ingram, Mr Craig	Gippsland East	Ind	Victoria, Mrs Heidi	Bayswater	LP
Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kairouz, Ms Marlene ⁴	Kororoit	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Kosky, Ms Lynne Janice	Altona	ALP	Weller, Mr Paul	Rodney	Nats
Kotsiras, Mr Nicholas	Bulleen	LP	Wells, Mr Kimberley Arthur	Scoresby	LP
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Languiller, Mr Telmo Ramon	Derrimut	ALP	Wynne, Mr Richard William	Richmond	ALP
Lim, Mr Muy Hong	Clayton	ALP			

¹ Resigned 6 August 2007

² Elected 15 September 2007

³ Resigned 2 June 2008

⁴ Elected 28 June 2008

⁵ Elected 15 September 2007

⁶ Resigned 6 August 2007

CONTENTS

WEDNESDAY, 10 JUNE 2009

BUSINESS OF THE HOUSE	
<i>Notices of motion: removal</i>	1759
<i>Program</i>	1829
NOTICES OF MOTION.....	1759
PETITIONS	
<i>Police: Red Cliffs</i>	1759
<i>Rail: Mildura line</i>	1759
DOCUMENTS	1759
ROYAL ASSENT.....	1760
MEMBERS STATEMENTS	
<i>Shire of Colac Otway: chief executive officer</i>	1760
<i>Italian National Day</i>	1760
<i>Gippsland: sports facilities</i>	1760
<i>Christopher Varney</i>	1761
<i>Drought: northern Victoria</i>	1761
<i>Victorian Women's Football League</i>	1761
<i>City of Monash: World Environment Day</i> <i>awards</i>	1761
<i>Manningham Park Primary School: closure</i>	1761
<i>McKinnon Secondary College: Hot Mikado</i>	1762
<i>Gas: heater regulations</i>	1762
<i>Friends of the Eltham West Drain</i>	1763
<i>Yarra Valley Italian Cultural Group: Dreams</i> <i>from a Suitcase</i>	1763
<i>Mental health: services</i>	1763
<i>Tullamarine Rotary club: road safety grant</i>	1763
<i>Planning: Pearson Street, Mornington</i>	1764
<i>Caesia Gardens, Caroline Springs</i>	1764
<i>Lebanon: election</i>	1764
<i>Insurance: fire services levy</i>	1764
<i>Frankston North: community renewal program</i>	1765
<i>Casey Recreation and Aquatic Centre</i>	1765
<i>Bergins Road, Rowville: traffic congestion</i>	1765
<i>Police: Rowville station</i>	1765
<i>Islamic Society of Melbourne Eastern Region:</i> <i>senior citizens club</i>	1765
<i>Karingal Children's Hub</i>	1765
<i>FReeZA program: Maroondah</i>	1766
<i>Ballan: community facilities</i>	1766
<i>Federazione Lucana: Man of the Valley</i>	1767
<i>Berwick and District Woodworkers Club</i>	1767
GRIEVANCES	
<i>Schools: building program</i>	1767, 1787
<i>Opposition: performance</i>	1771
<i>Local government: corruption</i>	1773
<i>Agriculture: Australia Latin America</i> <i>relationship</i>	1776
<i>Crown Casino: gaming expansion</i>	1778
<i>Health: organ donation</i>	1781
<i>Children: protection services</i>	1784
SUSPENSION OF MEMBERS	
<i>Member for South-West Coast</i>	1771
STATEMENTS ON REPORTS	
<i>Public Accounts and Estimates Committee:</i> <i>budget estimates 2009–10 (part 1) ...</i>	1789, 1790, 1791
<i>Electoral Matters Committee: political</i> <i>donations and disclosure</i>	1792
<i>Family and Community Development</i> <i>Committee: involvement of small and medium</i> <i>size business in corporate social</i> <i>responsibility</i>	1793
<i>Environment and Natural Resources</i> <i>Committee: Melbourne's future water supply</i>	1794
NATIONAL PARKS AMENDMENT (POINT NEPEAN) BILL	
<i>Statement of compatibility</i>	1794
<i>Second reading</i>	1796
GAMBLING REGULATION AMENDMENT BILL	
<i>Statement of compatibility</i>	1798
<i>Second reading</i>	1799
ABSENCE OF MINISTERS	1800
QUESTIONS WITHOUT NOTICE	
<i>Attorney-General: justices of the peace</i>	1800, 1801
<i>Violence: international students</i>	1801
<i>Multicultural affairs: translating and</i> <i>interpreting services</i>	1802
<i>Office of Police Integrity: telephone recordings</i>	1803
<i>Children: early childhood services</i>	1804
<i>Attorney-General: former assistant</i> <i>commissioner of police</i>	1805, 1806
<i>Tourism: government initiatives</i>	1805
<i>Buses: services</i>	1806
FOOD AMENDMENT (REGULATION REFORM) BILL	
<i>Statement of compatibility</i>	1807
<i>Second reading</i>	1813
GAMBLING REGULATION AMENDMENT (LICENSING) BILL	
<i>Council's amendments</i>	1817
APPROPRIATION (2009/2010) BILL	
<i>Second reading</i>	1829
ADJOURNMENT	
<i>Parks Victoria: waste disposal</i>	1890
<i>Corrections: indigenous artwork</i>	1891
<i>Students: youth allowance</i>	1891
<i>Glenroy: men's shed program</i>	1892
<i>Maroondah City Council: street lighting</i>	1893
<i>Williamstown electorate: boating infrastructure</i>	1893
<i>Southface Road, Mount Baw Baw: upgrade</i>	1894
<i>Forest Hill electorate: skills training</i>	1894
<i>Police: working-with-children checks</i>	1895
<i>Child care: city of Darebin</i>	1895
<i>Responses</i>	1896

Wednesday, 10 June 2009

The SPEAKER (Hon. Jenny Lindell) took the chair at 9.33 a.m. and read the prayer.

The SPEAKER — Order! To clarify the consequences of the lack of a quorum last night, standing order 29(1)(c) makes it clear that the house is to adjourn without the Chair putting the question.

BUSINESS OF THE HOUSE**Notices of motion: removal**

The SPEAKER — Order! I advise the house that under standing order 144 notices of motion 84 to 87, 163 and 206 to 228 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.

NOTICES OF MOTION**Mr NARDELLA giving notice of motion:**

Mr McIntosh — On a point of order, Speaker, you have consistently ruled that about 200 words is the maximum length for a notice of motion. I ask you to rule this notice of motion out of order. It is just a diatribe and perhaps better suited to grievances or to a 90-second statement.

The SPEAKER — Order! I am advised by the Clerk that the notice is within the limit of the number of words allowed.

Mr NARDELLA continued giving notice of motion.

Further notices of motion given.

PETITIONS**Following petitions presented to house:****Police: Red Cliffs**

To the Legislative Assembly of Victoria:

This petition of residents of Red Cliffs and surrounding communities in Victoria draws to the attention of the house the need to increase police presence in our district.

The petitioners register their dismay after a weekend of vandalism with damage estimated to be in excess of \$60 000 to the local bowling club and private and public property.

The petitioners therefore request that the Legislative Assembly of Victoria take action to increase staff levels at the Red Cliffs police station as a proactive step in ensuring that this criminal activity is not repeated.

By Mr CRISP (Mildura) (20 signatures).

Rail: Mildura line

To the Honourable the Speaker and members of the Legislative Assembly of Victoria:

This petition of the citizens of the region known as Sunraysia, primarily in the state of Victoria but including cross-border citizens of New South Wales centred on the city of Mildura, brings to the attention of the house the many promises to return the Melbourne–Mildura passenger train, without delivery.

The undersigned petitioners therefore ask the Legislative Assembly to bring forward the reinstatement of the said Melbourne–Mildura passenger train, especially in view of:

1. the many undelivered promises;
2. the urgent need to promote public transport in a global warming context;
3. the pressing need to connect remote Mildura to both Melbourne and the national rail network; and
4. the geographic distance now requiring a rapid service (very fast train) to be competitive.

By Mr CRISP (Mildura) (82 signatures).

Tabled.

Ordered that petitions presented by honourable member for Mildura be considered next day on motion of Mr CRISP (Mildura).

DOCUMENTS**Tabled by Clerk:**

Auditor-General:

Connecting Courts — the Integrated Courts Management System — Ordered to be printed

Effectiveness of Drought Assistance Measures — Ordered to be printed

Implementing Victoria Police's Code of Practice for the Investigation of Family Violence — Ordered to be printed

Ombudsman — *Whistleblowers Protection Act 2001*: Conflict of Interest and Abuse of Power by a Building Inspector at Brimbank City Council — Ordered to be printed

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bass Coast — C99

Baw Baw — C56 Part 1, C64 Part 1

Bayside — C44

East Gippsland — C65

Frankston — C50

Glen Eira — C79

Golden Plains — C41

Horsham — C37

Moira — C37, C41

Pyrenees — C18

Queenscliffe — C18

Whitehorse — C87

Wyndham — C109

Yarra Ranges — C71, C84

Statutory Rules under the following Acts:

Country Fire Authority Act 1958 — SR 64

Infringements Act 2006 — SR 61

Metropolitan Fire Brigades Act 1958 — SR 63

Transfer of Land Act 1958 — SR 62

Subordinate Legislation Act 1994:

Minister's exception certificate in relation to Statutory Rule 62

Ministers' exemption certificates in relation to Statutory Rules 57, 61, 63, 64.

ROYAL ASSENT

Message read advising royal assent to:

Bushfires Royal Commission (Report) Bill
Fair Trading and Other Acts Amendment Bill
Parliamentary Salaries Superannuation and
Amendment Bill
Workplace Rights Advocate (Repeal) Bill

MEMBERS STATEMENTS

Shire of Colac Otway: chief executive officer

Mr MULDER (Polwarth) — The matter I wish to raise is for the Minister for Local Government, and it concerns the appointment of Colac Otway shire's chief executive officer. This matter was raised in the other place by the Member for Western Victoria Region, John Vogels, last week. I am calling on the minister to have the matter referred to the Victorian Ombudsman.

The eventual appointment of Mr Rob Small to the position could only be described as Colac Otway's worst kept secret. Discussions concerning the return of Mr Small to Colac Otway shire had their origin within the ranks of the Colac Otway shire itself well before applications for the position were advertised. They did not originate from within the community, as was claimed this week by the mayor.

Concerns being raised in the community are not so much about the appointment of Mr Small or the questioning of his capabilities as they are about the root cause of the appointment and the role played by individuals leading up to the appointment.

Shire ratepayers are being asked to accept significant rate rises whilst questions linger within the community about the payment to consultants who assisted council with the interview process and what was claimed to be the imminent appointment of the chief executive officer at considerable cost to ratepayers of the Colac Otway shire. Accepting the fact that the mayor is the official spokesman for the shire on such issues, his attempts to paint the raising of this issue as being party political are disappointing, to say the least. I have worked hand in hand with the Colac Otway shire as a state member for Parliament for almost 10 years, but my loyalties lie with the people I represent. This matter must be investigated, and the air must be cleared.

Italian National Day

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — Together with the Premier I was proud to recently attend the Italian National Day celebration at the vibrant Piazza Italia on Lygon Street. The celebration forms part of the Melbourne Italian Festival — one of the highlights of Victoria's cultural calendar. It was a pleasure for me to join with Melbourne's Italian community to celebrate Italy's proud culture and the community's contribution to Victoria.

The celebrations were capped off by an announcement from the Premier of funding of \$3.8 million to revitalise the Lygon Street precinct, which includes funding of \$1.45 million for Co.As.It. to establish an Italian cultural heritage centre.

Gippsland: sports facilities

Mr MERLINO — Congratulations to Linda Reid and everyone from Gippsland Hockey for their tireless efforts to develop a synthetic hockey pitch in Churchill. It gave me great pleasure recently of visiting the future home of the pitch at Monash University and announce

that the Brumby government would contribute \$300 000 towards the project, which has been the vision of Linda and her team for over a decade.

Labor has completely revitalised sport in Gippsland since coming to office, investing record levels of funding. The town of Drouin is a great example. In the past two years the Brumby government has funded the redevelopment of the local cricket and football pavilion, the outdoor pool and the tennis courts and has invested in a synthetic hockey pitch.

This story is repeated right across the region in towns including Sale, Orbost, Mirboo North, Yarragon, Warragul, Moe, Morwell and Traralgon. I look forward to visiting Gippsland again with further good news next week as part of the community cabinet.

Christopher Varney

Mr MERLINO — Congratulations to Chris Varney from Ferntree Gully who will be Australia's Youth Representative as part of the 2009 Australian delegation to the United Nations in New York. Well done, Chris.

Drought: northern Victoria

Mr WALSH (Swan Hill) — We often talk about drought in this place, but this June there have been some very useful rains across the northern rain belt. Birchip has had 40 millimetres for June; Lake Boga has had 52 millimetres; Walpeup, 31; Murtoa, 46; St Arnaud, 36; and Nhill, 27. More importantly, Mount William in the Grampians catchment, which provides water for the Wimmera–Mallee pipe system, has had 93 millimetres.

Swan Hill, for the first time in 13 years, has had more than 50 millimetres of rain in June, and we are only 10 days into June, so there are some very relieved grain growers in northern Victoria and some very relieved communities that rely on them for the income to generate business down the main streets of those towns.

While I express cautious optimism about what has happened in June, I remind the house that it has not rained money for those communities in northern Victoria — it will take 12 months before they get any income out of their crops — and it will take a number of years before their bank balances recover and the emotional stress of drought is reduced in those communities. But this has been a very good start for the community, and there is very cautious optimism about this year.

It was disappointing that in the state budget the Minister for Agriculture did not renew funding for the

drought support officers who worked with local government to assist these communities through this crisis. There has been a good start to the season, Speaker, so let us hope the rain continues.

Victorian Women's Football League

Ms MORAND (Minister for Children and Early Childhood Development) — I congratulate the Victorian Women's Football League for its achievement in putting together the winning team at the weekend's Australian Football League national women's championships held at Subiaco Oval in Western Australia. The Big V won the national championships in a hard-fought final against Western Australia; the final score was Victoria, 60 points, and Western Australia, 22 points. I congratulate every player, the coach, the support team, the supporters and all the families involved.

I also congratulate the Victorian players who were nominated in the all-Australian team — Shannon McFerran, Natalie Wood, Stacey Cross, Phoebe McWilliams, Lou Wotton, Steph Chiocci, Cecilia McIntosh, Daisy Pearce and Lauren Bazeley — and the coach, Leeann Gill. I also congratulate Shannon McFerran, who was named the Debbie Lee medallist at the weekend. It was a fantastic effort.

The Victorian Women's Football League continues to grow in very significant numbers in Victoria. I congratulate the league for continuing to promote women playing footy in Victoria.

City of Monash: World Environment Day awards

Ms MORAND — I also want to congratulate the winners and finalists from last week's Monash World Environment Day awards. There were four categories. The sustainable new building/renovation category was won by Harmony 9 by Mirvac. The sustainable business category was won by the Green Champions Committee at Southern Health. The community award was won by Syndal South Primary School, and the greenest household award was won by John Harvey of Glen Waverley. Congratulations to Monash City Council for having these awards and recognising the importance of the local community.

Manningham Park Primary School: closure

Mr KOTSIRAS (Bulleen) — The Brumby Labor government is politically inept, politically devoid of any new ideas and politically corrupt. Despite all its rhetoric about school closures, this Labor government

has forced the closure of Manningham Park Primary School. The Brumby government starved the school of real funds, neglected to assist it to increase its enrolments and put pressure on the school community to accept the closure.

The Manningham Park Primary School site is prime real estate, and there are real concerns that this uncaring and hypocritical Labor government might sell it off to developers. The government has said that the school site will be given to Bulleen Heights Special School, which is in urgent need of more classrooms, but this government cannot be trusted. It says one thing prior to an election simply to be re-elected and then breaks its promise after the election, blaming climate change, the federal government, the global financial crisis, the United Nations, the European Union and the Victorian public.

Everyone remembers Laurel and Hardy. Hardy always blamed all of his mistakes and stuff-ups on Laurel, when he used to say, 'This is another fine mess you've gotten us into'. This is exactly what the Brumby government is doing — blaming everyone else and not taking responsibility for its own actions and failures.

I call upon the government to now show some courage and provide a guarantee that under no circumstances, now or in the future, will the Manningham Park site or the Bulleen Heights site be sold off to developers. Unless this guarantee is given, Manningham residents will continue to fear that the sites will be sold off to the highest bidder just to ensure more ministerial advisers and more ministerial lunches for the inept ministers who are running the state.

McKinnon Secondary College: *Hot Mikado*

Mr HUDSON (Bentleigh) — Recently I attended a performance of the *Hot Mikado* by students at McKinnon Secondary College. This musical is a classic Gilbert and Sullivan story set in the 1940s and involves a complex comedic love story. *Hot Mikado* is a very demanding musical, and delivering a performance of this quality in such a short period of time has been a huge challenge for the students involved. The McKinnon students have risen to the challenge and through their dedication, energy and commitment have produced a show that is full of colour, verve and humour.

Forty-eight students make up a vibrant cast, backed by a strong production team under the direction of Carly-Jane Doctor, the musical direction of Blanka West, and the production of Rebecca Ginsberg. The rich and interesting set was a product of the creative

vision and design skills of Chris Curran. The strong cast is ably led by Aleksa Kurbalija as Nanki-Poo, Lucinda Barratt as Yum-Yum, Liam Maguire as Ko-Ko, Tessa Ramanlal as Katisha, Courtney Nankin as Pitti-Sing, Lucy Frecheville as Peep-Bo, Nick Skoufis as Pish-Tush, Matt Connolly as Pooh-Bah, and Henry Barratt as the Mikado. They are strongly supported by very well choreographed singing and dancing from the ensemble cast of ladies and gentlemen of Japan. All the performers wore colourful period costumes, as a result of many hours of work by parents and teachers.

This performance of the *Hot Mikado* demonstrates once again the depth of quality of music and drama at McKinnon Secondary College, which has an enviable reputation not only for its academic excellence but also for its artistic expression. Congratulations to the McKinnon school community on an excellent production.

Gas: heater regulations

Mr CLARK (Box Hill) — I raise concern about the government's handling of new regulations on unflued gas heaters. As best I can find out, Energy Safe Victoria (ESV) started an RIS (regulatory impact statement) in October last year proposing regulations that would ban unflued gas heaters in 5-star homes due to ventilation issues but allow them to continue to be installed in other homes while reducing the maximum permitted NO₂ level from 5 nanograms per joule to 2.5 nanograms per joule after a reasonable period of notice.

This proposal itself caused considerable industry concern, but then in January, before consultation on the RIS had even been completed, the government made new regulations allowing only 2.5-nanograms-per-joule heaters for existing homes other than 5-star homes, but banning plumbers from installing the bayonet fittings needed by unflued gas heaters, effectively only allowing new unflued gas heaters to replace existing ones where there is a working bayonet fitting.

Later ESV said it would allow unflued gas heaters of up to 5 nanograms per joule to be sold until December this year but still only where they replace existing heaters with working bayonet fittings. ESV say it cannot do more than this due to Department of Human Services insistence. This sudden change of direction has left suppliers and small country businesses with warehouses full of unsaleable heaters. It also leaves thousands of country Victorians, including bushfire victims, who have been reliant on LPG, without an affordable source of heating if they do not have an unflued gas heater already.

I can understand the need for urgent new restrictions if there is a major risk to public health. However, the industry says that unflued gas heaters have been used safely for years and that modern LPG heaters are nothing like the old natural gas unflued heaters that are causing concern for New South Wales schools.

Friends of the Eltham West Drain

Mr HERBERT (Eltham) — I rise to inform the house of a terrific environment group within the Eltham electorate. The Friends of the Eltham West Drain celebrated its seventh birthday last weekend. This local group was formed in 2002 by Ian Burns and an enthusiastic group of local residents with the aim of transforming a degenerated waterway into a thriving sanctuary for native flora. This fantastic group of about a dozen dedicated local residents has gathered on the last Sunday of every month at Blair Reserve, downstream from the creek to Ramptons and Meruka parks for the last seven years.

I congratulate Denise Lopez, Rosemary Adam, Judith Longworth, Richard Pinn, Julie Fink and Sue Burns for their terrific contributions. They were joined for their seventh anniversary celebration by Sue-Ellen McCaig, Kevin and Alice Ley, James Longworth, Keith Ashman, Tim Bedford, David Adam and John Murphy.

The electorate of Eltham is renowned for its beautiful green parks, and the Eltham West Drain forms a magnificent gateway to the area from Melbourne's west. Indeed it is fair to say that 'drain' is no longer an accurate description for a waterway of such beauty and renewed vitality. I wholeheartedly support the friends group in its desire to change the name of this waterway to Karingal Creek, a name which better reflects its beauty. I congratulate the Friends of the Eltham West Drain for achieving this milestone and their tireless commitment to improving this long-forgotten local waterway.

Yarra Valley Italian Cultural Group: *Dreams from a Suitcase*

Mrs FYFFE (Evelyn) — I was very proud on Sunday to host the Yarra Valley Italian Cultural Group in Queen's Hall for the launch of their book *Dreams from a Suitcase*. Some 250 people came to support their friends and family, whose stories are told in this narration. The book is dedicated to all the courageous Italian migrants who left their shores to choose Australia as their new land. I congratulate my good friend and neighbour Luigi Fotia and his committee for their vision and effort in compiling this book of recollections.

Mental health: services

Mrs FYFFE — Mental health services in the Yarra Valley and eastern suburbs region are reaching crisis point. Compared to Victoria as a whole, the outer east has a higher rate of admissions to hospital due to drug and alcohol use and drug and alcohol-induced organic mental disorders. The state government has increased funding overall to mental health, but it is not getting through to those on the ground who are desperately trying to cope. Mental health crosses state and federal funding lines.

We desperately need care coordinators to work in general practice. We need more resources directed to the region and more funding for preventive mental health care. I call on the minister to take control of her department and deliver the services needed on the ground. Many people are missing out on mental health services due to isolation, lack of public transport and lack of government funds. We need to prevent illnesses before they reach the point where people, through no fault of their own, become ill and take up the resources of the police force.

Tullamarine Rotary club: road safety grant

Ms BEATTIE (Yuroke) — On Thursday, 16 April, I had the pleasure of attending a meeting with the Rotary Club of Tullamarine. At this meeting I announced that the club would be receiving \$20 000 to tackle the important issue of drink driving in our community. The project titled 'Your responsibility — Rotary and are you right to drive?' is one of 19 community road safety projects that will share in a total of \$350 000 from the Transport Accident Commission (TAC) to make Victoria's roads safer.

The Rotary Club of Tullamarine, in conjunction with Hume City Council and Broadmeadows police, does some terrific work in tackling drink driving in our community, as does the entire police force. The \$20 000 grant aims to reduce drink driving through education and access to permanent breath-testing facilities in licensed venues. The project will run for 10 months and involves licensees placing a permanent breath-testing machine in their venue for their patrons' benefit.

A major objective is to educate male and female drivers about driving responsibly on the roads. These grants give us a chance to take action to make our roads safer. I know the president of the Tullamarine Rotary Club, Mr Paul Tanti, is committed to improving road safety in Yuroke. This TAC grant is an important initiative

which will help achieve the road safety objectives of the Brumby government.

Planning: Pearson Street, Mornington

Mr MORRIS (Mornington) — The front page of yesterday's *Age* proclaimed Melbourne 2030 a failure, and deservedly so. From the start it has been a top-down policy, with the government determined that communities would toe the line. You do not have to look far to see why it has not worked. Take, for example, a proposal for Pearson Street in Mornington. There will be five storeys in an area where the council, with a gun at its head, has proposed a maximum height of four storeys, and even that is way beyond community expectations.

Under the scheme, Pearson Street, which provides a direct pedestrian path to Mornington Primary School, will be closed. If access is maintained — and that is a big 'if' — it will be to the ground floor only, with the building extending across the site at first-floor level. Primary school children will have to find their way through a tunnel to get to school.

The plan is a gross overdevelopment of the site; it will dwarf the surrounding buildings and the nearby historic primary school. This site is not close to decent public transport. The nearest tram is at East Brighton and the nearest train is at Frankston. This project is a classic example of the sort of development encouraged by Melbourne 2030 and the reason the planning system in Victoria is on the brink of collapse. It is possible to increase densities substantially, it is possible to slow or even halt urban sprawl, but it can only be done if every affected community is part of the long-term plan and is encouraged to be part of the solution. The Pearson Street proposal is a classic example of why urban consolidation will continue to fail until the 'local' is put back into local planning.

Caesia Gardens, Caroline Springs

Ms KAIROUZ (Koroit) — On Sunday, 31 May, I had the pleasure of officially opening Caesia Gardens Club House with village residents. The clubhouse is a magnificent addition to Caesia Gardens, located at the award-winning master-planned community of Caroline Springs and with approximately 130 homes. The retirement village is conveniently located within a very short walk of Caroline Springs town centre and essential facilities such as a medical centre, shops, retailers and eateries with the picturesque Lake Caroline and urban wetlands nearby.

This vision of Caesia Gardens provides a range of quality facilities with high standards of service. The state-of-the-art clubhouse includes a solar-heated pool, gymnasium, medical suites, workshop, practice bowling green, craft room, library, business centre with computers, a nurse and a hairdresser. Activities such as water aerobics, massage, Tai Chi, adult education, film nights, regular barbecues, a gardening club, a book club and a craft group are organised by the village and are exclusive to residents, to ensure they will never have a dull moment.

I congratulate the Caesia Gardens community on this wonderful facility and look forward to returning to celebrate what I am sure will be wonderful events in the future.

Lebanon: election

Ms KAIROUZ — On another matter, I would like to congratulate the Lebanese government for running a smooth and democratic election in Lebanon on Sunday. I congratulate the people on coming out to vote, and I also congratulate all elected MPs. I wish them well for the future.

Insurance: fire services levy

Mr JASPER (Murray Valley) — I join with other members of The Nationals in urging the Victorian government to immediately rectify the anomaly in fire insurance charges, to ensure a just system for the funding of fire services across Victoria. The recent experience with disastrous bushfires, where an estimated 30 per cent of the properties destroyed had not been insured, highlights the need to change the funding system to ensure all property owners pay insurance against fire. With service levies meeting about 80 per cent of the cost of running the Country Fire Authority, the Metropolitan Fire Brigade and the Victorian State Emergency Service, it is clear that those who insure their properties are carrying those who do not.

New fees in Victoria from July will see the fire services levy increase to 26 per cent on households and 68 per cent on businesses in country Victoria, whereas rises to 21 per cent on households and 51 per cent on businesses will apply in the Melbourne metropolitan area. Not only is the fire services levy charged on each insurance premium, there is 10 per cent GST and 10 per cent stamp duty, which is basically a tax on a tax.

The issue has been the subject of an earlier review by the Victorian government, which has rejected moves to change to a charge on all property, mainly because of

the difficulties created by variations in property values. Surely a system can be devised to ensure all Victorians, not just those who insure their properties, contribute to funding emergency services. I call on the Victorian government to act immediately to implement an equitable property fire insurance scheme.

Frankston North: community renewal program

Mr PERERA (Cranbourne) — It was with great pleasure that I took part in the Connectus program graduation in Frankston North recently. This program was well funded by the Brumby Labor government as part of the government's successful Frankston North community renewal program.

The program targets young people aged 15 to 24 years who have left school before completing year 12 as a result of becoming a parent. These young parents do not have a school certificate or formal qualifications to assist them to enter the workforce. The 10 young people who graduated on the day were very excited about their future job prospects and very pleased with the quality of the program.

Casey Recreation and Aquatic Centre

Mr PERERA — The much-awaited Casey Recreation and Aquatic Centre will officially open its doors on Saturday, 13 June. Facilities include a 50-metre lap pool, water play zones, a warm water exercise pool, spa, sauna, steam room, reception and cafe, child-care facilities, and a health and fitness centre.

The Brumby Labor government has proudly provided \$2.5 million while the Rudd government contributed \$5 million towards this exciting initiative that the City of Casey has built for the people of Casey and the surrounding areas. The aquatic centre's water-smart, award-winning design uses collected rainwater and recycled pool water.

Bergins Road, Rowville: traffic congestion

Mr WAKELING (Ferntree Gully) — I am again forced to raise in this house the problem of traffic congestion on Bergins Road, Rowville. I raised this important issue with the government two years ago. At that point I was advised that the opening of EastLink would ease traffic and that the intersection would be reassessed.

I put to the house that the patronage of the new tollway is far less than expected, and the congestion on this road continues to affect the community. Many commuters on this road travel from the city of Casey to avoid

bottlenecks in their road network. Consequently, morning traffic is severely congested at the T-intersection with Stud Road, leaving commuters banked up for hundreds of metres. I call upon the Minister for Roads and Ports to urgently address this issue on behalf of frustrated Heany Park residents.

Police: Rowville station

Mr WAKELING — The state Labor government continues to treat the Rowville and Lysterfield communities with contempt by failing to provide a 24-hour police station in Rowville. In 1999 the Labor Party promised this community that it would deliver a 24-hour police station. History will prove, however, that this facility has only remained open for a maximum of 16 hours per day. My community deserves adequate police resources. Under this government and across Victoria, police patrol hours have dropped whilst incidents of violent crime have soared. Crimes are committed 24 hours a day, so the government has no excuse but to ensure that the Rowville police station is open 24 hours a day.

Islamic Society of Melbourne Eastern Region: senior citizens club

Mr WAKELING — I would also like to take this opportunity to congratulate members of the Isomer (Islamic Society of Melbourne Eastern Region) community on the formation of a senior citizens club. We shared a wonderful meal last Saturday at its launch, and I look forward to working with this community in the future. The Isomer community has been in operation for many years, providing support for residents of Muslim descent, and I look forward to its continued work over the coming years.

Karingal Children's Hub

Dr HARKNESS (Frankston) — The construction of the Karingal Children's Hub is well under way and is expected to be completed in September. Once complete, the Karingal Children's Hub will revolutionise early childhood education, health and welfare services for Frankston families.

The new hub, located alongside Karingal Primary School, will provide young children and their families with a comprehensive range of early childhood services including three new prep classrooms, a maternal and child-care centre, a gymnasium, an out-of-hours child-care facility, a preschool, a family resource centre and a neighbourhood house.

This groundbreaking project will provide a big boost to the Karingal and wider Frankston communities and is a fantastic example of the Brumby Labor government taking action to better the community. I recently inspected the site, and could not have been happier with the progress this project is making. I am confident it will make Frankston a better place to live, work and raise a family.

This project has been a partnership between the state government, which has contributed \$2.25 million, and Frankston City Council, which has contributed the balance. It is a stunning example of multiple government departments and sectors, including health, welfare, education and early childhood development, joining forces with local government to provide improved services to the local community.

The state Labor government has long been a pioneer in putting the needs of children's development at the front and centre of government decision making, one example being the appointment of a Minister for Children. Of course we now have an excellent Minister for Children and Early Childhood Development, who is at the table, addressing the challenges in this area. I am very pleased that the federal Rudd Labor government also places a high importance on early childhood development. Reflecting this is the appointment of the energetic Kate Ellis, MP as federal Minister for Early Childhood Education, Childcare and Youth.

FReeZA program: Maroondah

Mr HODGETT (Kilsyth) — I call on the Brumby government to undertake an urgent review of FReeZA funding. The state government's FReeZA program provides funding to local government authorities to run drug, alcohol and smoke-free events for young people. It provides opportunities for young people to plan and run events, encourages the development of leadership skills and provides work experience ranging from stage management and event coordination to media relations.

Maroondah City Council has been delivering this program since its inception and is considered to have one of the best programs in Victoria. The problem is that funding for the FReeZA program has remained stagnant since 2000. During this time the cost of delivering the program has risen significantly, particularly in regard to salaries, security, training and promotion. These cost increases have been absorbed by the Maroondah City Council for the past nine years. Councils are now faced with the prospect of reducing the program because of increased operating costs. This has already been the case in Maroondah where the council has had to decrease by half the number of

events it delivers. Maroondah City Council used to run 20 events; now it runs only 10.

In Maroondah's case funding from the state government now only contributes to about a quarter of the overall costs. It is understood that this situation is similar across the local government sector. The Municipal Association of Victoria state council meeting in May 2008 passed a resolution calling on the state government to conduct a review. I regret that no such review has occurred.

I call on the Brumby government to support and showcase the talents of our young people, musicians and emerging artists. An urgent review of FReeZA funding by the state government must be conducted immediately.

Ballan: community facilities

Mr HOWARD (Ballarat East) — I was pleased to be in Ballan again earlier this month when I was able to advise members of the Ballan community that they had been successful in gaining a grant of \$125 000 from the Brumby government's Small Town Development Fund. This grant, to be matched by funding from the Moorabool shire and user groups, will see a significant upgrade of the Ballan reserve community facility. This announcement will be welcomed by all users of the Ballan Recreation Reserve as the change rooms and multipurpose spaces will be greatly enhanced. The funding comes on top of state funding which has supported the upgrade of the tennis courts and netball court at the reserve, as well as the development of the skate park — a project driven by Ballan Lions Club.

Under this government Ballan has also seen many other community facilities gain major financial support, with \$650 000 from the Community Support Fund for the mechanics institute upgrade and extensions to include the Ballan community house. The primary school has been substantially rebuilt, a new ambulance station has been built, the fire station has been rebuilt, and the rail station precinct has also been substantially upgraded to meet the growth in demand for rail services since the completion of the regional fast rail service. The Brumby government has also provided funding for streetscape works and the upgrade of Calambeen Park, and I have been pleased to work with the Ballan community to see these great projects come to fruition.

FReeZA program: Maroondah

Mr R. SMITH (Warrandyte) — I rise to urge the government to support the City of Maroondah's motion at the Municipal Association of Victoria's state council

meeting in May which requested an urgent review of the state government funding for the FReeZA program. The FReeZA program was a Kennett government initiative that has been in place since 1996. It provides an avenue by which young people are able to run events which are drug, alcohol and smoke-free. Young people involved in running these events are given the opportunity to develop their leadership skills and provide work experience for others in stage management, event coordination and media relations. Maroondah City Council's FReeZA program has already run three events this year and has another six events planned for the rest of the year, including events such as a battle of the bands, a hip-hop gig and a heavy metal event.

In 2000 the FReeZA funding by the state government covered almost 50 per cent of the total cost to Maroondah City Council. Costs have risen significantly since then, but unfortunately funding from the state government has not. In 2009 government funding has fallen to only about a quarter of the overall cost, with the result being that Maroondah council has had to decrease the number of events held.

At a time when we should all be concerned about teenage binge drinking and the associated social impact, I would think increasing the financial support for this program would be one positive way in which the government could help address this all-important issue. I strongly support Maroondah City Council's motion and the subsequent resolution passed by the MAV, and I urge the state government and the Minister for Sport, Recreation and Youth Affairs to review and increase funding for this great initiative.

Federazione Lucana: *Man of the Valley*

Ms CAMPBELL (Pascoe Vale) — I recently had the pleasure of launching a book, *Man of the Valley*, by Federazione Lucana. This is a club steeped in tradition which last year commissioned a statue to commemorate the contribution that Italians from the Lucania region have made to Australia. The statue was unveiled in December 2008 and proudly stands overlooking the Coburg Lake. The statue cost €130 000 to build and \$20 000 to transport to Australia by air. That is in stark contrast to the way many people from the Lucania region travelled to Australia decades ago when they came out by a slow ship and did not have the advantage of air flights and the accompanying time savings.

The book I launched is a memento of the arrival of the statue. The two towns from the Lucania region which initiated the commission of the statue, Viggiano and Grumento Nova, will be distributing the book to their

primary school students so that cultural ties can be maintained with their Australian counterparts.

I congratulate the president of the Federazione Lucana, Leonardo Santomartino, for his continuing hard work at the club and for coordinating the whole event. I also thank John Salvucci and his team for getting this beautiful book published, and the co-sponsors of the book.

Berwick and District Woodworkers Club

Ms GRALEY (Narre Warren South) — I say thank you to the Berwick and District Woodworkers Club, which operates from the old cheese factory in Berwick. Older members of our community — men and women — get together and make all sorts of fantastic toys that are really well made and solid for distribution to local charities and support centres. Rocking horses, wooden planes and dolls prams are gratefully received by families and give our young ones endless hours of pleasure. Recently they put together a consignment of wooden toys for me that I had the pleasure of donating to the Oakgrove community centre playgroup.

Of course the woodies have a good time making the toys with all the skill that they have developed over years of working in allied building areas and as home carpenters who just love to hammer away. Well done to everyone at the Berwick and District Woodworkers Club. I look forward to attending the annual Christmas function where the toys are distributed.

GRIEVANCES

The DEPUTY SPEAKER — Order! The question is:

That grievances be noted.

Schools: building program

Mr DIXON (Nepean) — I grieve this morning for education in Victoria and especially the shocking implementation of the Building the Education Revolution overseen by the state government in Victoria. There are many examples of how badly this program has been implemented in Victoria, with one of the main reasons being that the Minister for Education and her staff have been slightly distracted recently; they have been very busy plotting against the member for Ivanhoe. While they have been doing that, they have taken their eyes off the ball, and the implementation of Building the Education Revolution in Victoria has become an absolute shambles.

My first example concerns small builders and small architectural firms in Victoria. For example, we have had the Gippsland spectacle of builders in West Gippsland being told that the only school building projects they can tender for are in East Gippsland, while builders in East Gippsland have been told the only projects they can tender for are in West Gippsland.

The same thing is happening in the Mallee as well. Small building companies of one or two builders are unable to travel to construction jobs in towns hundreds of kilometres away. Similarly, small construction firms cannot handle multiple projects, which is what they have been asked to do by the department. There has been absolutely no flexibility so that small building firms and small architectural firms could take on small projects. They either have to take a whole bunch of projects or they are offered projects that are hundreds of kilometres away.

I have a letter that was sent to the federal member responsible for Amphitheatre Primary School. The parent who wrote this letter said:

If this doesn't anger our community enough none of the scheduled works are contracted out to local tradesmen. We have a parent at the school who is a plumber; there are other tradesmen in the surrounding towns. We have no say in this at all; it is all contracted through the Department of Education. I thought this was a part of the government's stimulus package. How is this stimulating our local area? No jobs locally, no money for the local and surrounding areas.

I also have a letter from an architectural firm in Geelong, which states:

This is an outrageous consolidation of work away from regional practices that in a time of widespread economic stress, directly contradicts the targeted decision by the federal government to use primary schools as a way of distributing work as broadly as possible through all local communities in Victoria and Australia.

Taking this work away from local practices is demeaning to the professional status and competency of local architects whilst diminishing the ambitions and responsibilities shared between architects and the local school communities through the realisation of these projects.

That is just one architectural firm that has been adversely affected by the way this program has been implemented in Victoria.

There has also been an incredible lack of flexibility in the designs that are available for schools to choose. There are three options and three sub-options of each main option. Schools have been told, 'You have to have one of those'. The department in Victoria is incapable of showing any flexibility. Schools have not been

trusted to choose designs that fit within the commonwealth guidelines and actually fit their schools.

I have heard of schools saying, 'We do not really need a hall, but if we have to have one, we will have a second hall'. Or they have said, 'We are going to have to demolish some of our school to build what the state department is pushing on us'. Some schools have taken a step back so that they can take two steps forward. Or schools have said, 'We are very thankful for the money. We have never had an opportunity like this before. What we would rather do is rebuild our junior school or we would rather build a new science centre. But no, that is not in the guidelines, so we will take a hall or a library if we have to'. They are glad about it, but they are not meeting the priorities of their school community.

Some of these designs physically do not fit on school properties or they are at odds with the design of the existing school, or they have to be realigned in a way that totally changes the site design of a school. There has been very little flexibility here for schools to make the most of the money that they have been given.

We have had the second round, which I will talk about in a moment, but the majority of schools are obviously in the third round, because the majority of schools cannot take one of these off-the-shelf models. It just does not work. And it is very disappointing, given the size of the department we have and the size of the bureaucracy, that the flexibility has not been there for design and implementation of the Building the Education Revolution program in Victorian schools. Local school communities and local architects and building firms should have been given a far bigger say in terms of working within the commonwealth guidelines and applying them to their local situations.

Yesterday we had the unedifying spectacle of the Minister for Education and the Premier following the Deputy Prime Minister and standing behind her shoulder as she announced the next round of Building the Education Revolution funding. The Minister for Education and the Premier are very excited about this commonwealth funding, because it is a bailout for the Victorian government. The National School Pride grants of up to \$200 000 are being spent not on new playground equipment or new equipment for schools or exciting innovations; they are being used by schools for maintenance. They are fixing up their leaking roofs, their frayed carpets, the windows that do not open, the patched-up toilets and the patched-up playgrounds. That is where the school pride funding is going. This is stuff the state government has not been doing, year after

year. It has had 10 years to maintain our schools, and it has failed in that.

With the Primary Schools for the 21st Century program, once again this government is riding along on the coat-tails of the federal government saying, 'Isn't it wonderful for our schools?'. In fact when you look at the 2009–10 budget, you see that three-quarters of the spending announced in this state budget is federal government money — recurrent and capital funding. That might have been fine if the government had been honest about it and said, 'This is where it's coming from'; but no, the government is laying claim to it. As the member for Bayswater pointed out very eloquently yesterday in her contribution on the budget, all the little blue triangles on the map on the Premier's website say, 'This is where all the Victorian budget money is being spent', but they actually refer to federal spending. The state government is riding on the coat-tails of the federal government and trying to pretend to the community dishonestly that this federal money is the state government's money. It is not.

The worst aspect of the implementation of the Building the Education Revolution has been the forced merger of schools — and make no bones about it: schools are being forced. Senior members of the bureaucracy have gone out to schools and said, 'You're not going to get any money if you don't merge'. Schools that have decided to stand alone and not merge have then been forced to change their minds, and there are many examples of this. The government says it is not happening, but there have been so many examples of brave parents, brave principals and in one case a brave student who have said, 'We have been threatened. We have been coerced'.

We know this department and this government have a list of schools they want to merge, that they want to not exist any longer. Those schools have been starved of funds for many years so that they do not look good, students do not go to them, they lose their teachers and in the end enrolments drop and the school staff and parents are forced into doing the government's dirty work and reluctantly closing the schools down. The government says, 'We don't close schools down; the school communities do'. Of course it does; they are closed by stealth by the department!

The Building the Education Revolution money has brought this to a head, with many schools being forced to merge. Glenn Milne, the mayor of Mildura, is reported in a newspaper article as having criticised:

... the way he believed the education department had outlined the funding allocations.

'I don't see that schools should have this funding held over their heads saying, "If you comply to our scheme we'll give you money and if you don't we won't give you any"'.

...

'I also think it's important the government keeps their focus, that they don't back down on supporting schools just because they haven't voted the way they wanted them to vote'.

The *Sunraysia Daily* of 13 May reports:

It is believed one primary school voted against the merger and was last night being pressured to change its vote.

I have here an email from Jack Aquilina, a year 11 student from Preston, who wrote:

Schools in our district are known to be poorly funded ... This drying of state funding and pressure by members of government (local and federal) and state bureaucracy has caused our once prosperous community-based education centres to wither and dry. It has left my school forced to discuss mergers and has led our public schools in the northern district —

of Melbourne —

to be reliant on federal stimulus funding.

...

Mr Dixon, why must we, as state schools, become reliant on one-off federal payments to further our public education system? ...

... what was once a proud, loud community has, due to the unrelenting pressure of the state government bureaucracy, become a fearful, confused and frustrated one ...

Out of the mouths of babes!

Today I received some information from a parent at Maralinga Primary School. I have a copy of its newsletter of 27 November 2008 in which the school principal said:

This means Maralinga will continue to operate as a stand-alone school and has no plans to merge with any other school.

That is great, but what has happened? Since that year the pressure has been put on Maralinga Primary School, and in some mysterious way it has changed its mind and is now going to merge. In a letter to the Minister for Education a parent from the school has written:

From this point, parents had no idea that the school council were asked —

I wonder who asked them —

to reconsider their decision, and in fact no information was given to any community members warning them or notifying them that discussions about merging were reopened. On 1 May 2009 parents were sent out a letter notifying them that

Maralinga Primary School was going to merge with Chandler Primary School ... on the Chandler site ... in 2011.

...

... Not one parent agreed with the merge.

The letter states that Mr Peter Greenwell, the regional director, said at the meeting that if the school did not merge, there would be little funding available for the school.

There is one case after another of threats to schools by this department and this government saying, 'If you do not merge, you are not going to get the money'.

I also have a letter here in which a teacher told me that at a joint school council meeting of three schools being proposed to merge, each of the school councils:

... was warned that if they did not vote for a new proposal that closed one of the schools, there would be no funding for the schools. The parents were pushed, prodded, threatened and bullied into saying yes to a merger that nobody believes will work.

I move on now to the National School Pride money. This is something that has come under the radar a bit. I have here a remittance advice from the Department of Education and Early Childhood Development to a school that was eligible to receive \$150 000 from the federal government for the school pride initiative. All it is receiving is half the money. It was told it would be getting all the money; now it is told, 'No, you are only getting half the money. You will get the other half when the job has been finished'. The school principal said to me, 'How am I meant to pay the contractors as the work continues? I cannot pay them. I do not have another \$75 000 sitting in the bank'. And that is just one school; there are so many schools that just do not have this sort of money sitting around.

What about the poor contractors that this funding is supposed to help in some way to stimulate their spending and their building? They cannot carry those sorts of cost. This is just a small way and another way in which this government has completely messed up the implementation of Building the Education Revolution (BER).

Many principals are also saying that the templates they have been given or the complexes they are allowed to build under BER are basically rip-offs. In fact the *Age* of 24 May states:

'Most principals are looking at what they're being offered and concluding that they are being ripped off', one principal said.

...

Berwick Lodge Primary School principal Henry Grosseck accused Premier John Brumby of 'creaming off' the federal funds.

He said his school had sought an independent valuation that revealed a new gymnasium offered to schools with a federal grant of \$3 million would only cost \$1.62 million to build. 'On the valuations we've received, the state government will make between \$500 000 and \$1.4 million on each of the 10 building templates. The entire amount of federal funding should be allocated to schools and not creamed off by Mr Brumby.'

...

Another senior Melbourne principal, speaking on condition of anonymity, told the *Sunday Age*: 'Feelings are running high because, put bluntly, schools believe they are being rorted by the state ... Schools are being offered off-the-shelf projects with a fixed price tag, even though there aren't any costings to show how the state has come to this price.

There are numerous examples from schools.

I also went to a meeting with a group of principals where they quite openly said that they were receiving, for example, \$3 million. The department said to them, 'Would you like to give up \$1 million of your \$3 million to give to a local school up the road that needs more money?'. They very kindly did that. Some schools have been forced to do that, but these schools were quite happy to do it. In other words, they were being told — and they openly said it to me — that they are not taking the full amount of the money they are entitled to from the federal government; it is going to a school this government should have been rebuilding or should have rebuilt in this year's or next year's budget. A recipient principal was sitting in the same group and said, 'They are very kind. I am very grateful for the extra \$5 million I am getting for my school over and above what the federal government was going to give me'. Other schools are being forced to give up their money to bail out this government. It was a shocking example.

Nunawading Primary School and the Springview Primary School merged, and parents have been totally kept out of the loop. The Nunawading school is the one that is going to be kept because it has got a heritage building and closing it would be too messy. The Springview Primary School site is the one that is going to be closed down. It is going to be closed down because the site is worth an absolute fortune. A local real estate agent is reported as saying:

... the government could pocket about \$5 million from auctioning off the Nunawading school.

That is another way that mergers are carried out, depending on what your school is worth.

Opposition: performance

Mr NARDELLA (Melton) — Today I grieve for the Liberal-Nationals coalition and its history of corruption when in government. I will give members in this house a lesson in history with regard to corruption. Under the Hamer and Thompson eras of government there was the Winneke royal commission. The Winneke royal commission established absolutely that there was corruption under the Hamer and Thompson Liberal governments. The land deals that occurred under the Liberal governments of that time are not only history but they are real. Those land deals were occurring under the noses of the then ministers and premiers, and they did nothing. The money that was exchanged by the officers and the ministers occurred under the watch of the Liberal Party. There was collusion that occurred time and time again, and people were jailed. That is the history, starting off in the mid to late 1970s, of the Liberal Party and corruption within this state.

Then the Liberal and National parties learned from those lessons when it was their turn in government following the election of 3 October 1992. That election day was a dark day for Victoria because all the spivs, all the carpetbaggers and all the friends and cronies of the Liberal Party and the then National Party put their snouts in the trough. They said, ‘You beauty. We’re back in town’, and they did it consistently, and they did it openly within this state. It started the day that Uncle Ron Walker and Uncle Lloyd Williams went through the revolving doors of the then Premier’s office and of other ministers’ offices for the special deals. The Liberal Party and Nationals members — some of them are in this house and in this Parliament today — just watched. They just watched and applauded, because they were the spivs and the mates of the Liberal Party at the time.

Let us talk about the casino tender and how it stank; it was corrupt to the core. It was a tender in respect of which the ministers and the government of the day, under Jeff Kennett as Premier, were in collusion with the winning tenderers. The brown paper bags were flowing faster than a keg at a bucks party. ITT Sheraton is a multinational company with an honourable reputation which wanted to do business in Victoria, and it was dudded. It came to the state thinking that the processes were squeaky clean and not corrupt, but it was dudded. It went into a corrupt process where insider information was used by the winning bidders. In fact what occurred was that the bid was sent back to the company that finally got the contract, and guess what? When the bid was resubmitted that company got the

contract because it had inside information. The brown paper bags were flowing at that time.

Let us look at the corrupt school sell-offs that occurred under the Kennett government. The outrageous closure of 326 schools — —

Dr Napthine — On a point of order, Deputy Speaker, this is a most disgraceful misuse of parliamentary privilege. The member is deliberately misleading the house. This Labor Party promised a royal commission into the casino —

The DEPUTY SPEAKER — Order!

Dr Napthine — then when it got into government it did not hold a royal commission because it knew there was nothing wrong. The member knows there is nothing wrong, and he is deliberately using parliamentary privilege to blacken the name of people in here, which he has not got the guts to do outside. He should get outside and say it.

Debate interrupted.

SUSPENSION OF MEMBER

Member for South-West Coast

The DEPUTY SPEAKER — Order! The member for South-West Coast knows that when the Chair rises to her feet the member is supposed to take his or her seat. In recognition of the fact that the member for South-West Coast deliberately did not take his seat when I rose to my feet, under standing order 124 I suspend him for 30 minutes.

Honourable member for South-West Coast withdrew from motion.

GRIEVANCES

Opposition: performance

Debate resumed.

Mr NARDELLA (Melton) — It was outrageous that 326 schools in Victoria were closed. What was the name of the real estate agent who sold off the vast majority of the school sites? Of course it was Baillieu Knight Frank. People had inside information on the closures. Mr Kennett and his cronies expanded the network as soon as they got into government on 3 October 1992, and they looked after their mates.

I turn to the KNF Advertising affair. The Premier of the day sent a message to everybody wanting to do business here in Victoria that unless they used KNF, the company he had an interest in, they would not get any business. Talk about corruption within Victoria! Talk about corruption by the Liberal-National government at the time. That was the message that was sent. There were debates in this house around KNF and questions were asked, but unless you gave a contract to KNF no other government contracts would flow to you.

After these corrupt proceedings had occurred and to protect his position the Premier had to come into this house and seek an exemption under the provisions in the Victorian constitution regarding an office of profit under the Crown. He came into the house and used section 61A of the constitution headed 'Power to Houses to relieve from consequences of alleged defaults'. That is what happened. Having used KNF and having sent a message that the only way to do business in Victoria — the only corrupt way — was to use the Premier's advertising media company, he then let himself off and got his Liberal and National backbenchers to vote to make sure that he did not lose his seat. Then there was the Independent newspaper affair. Do members remember that? Again it was to do with an office of profit under the Crown, and it cost a member of Parliament \$35 000 to get off a charge.

I now refer to a former Minister for Planning, who during those seven long, dark years looked after the developers at every opportunity. He had a revolving door in his office. The developers used to knock on the door and say, 'Can I come in, because I want to do a dirty, stinking little deal? I want to make a bucketload of money, and you, Mr Maclellan, will make sure that I make that money'. The revolving door meant there were 300 call-ins every year for seven years. There were 2100 call-ins which were about looking after the developers and looking after the cronies — the mates — of the Liberal Party and The Nationals. Yet opposition members want to talk about corruption. I will keep on reminding them about corruption during the time of the former Liberal-National government.

The special deals, the favouritism, the spivs and the carpetbaggers got ahead under the Liberal-National government. Let me say that if those parties get an opportunity again — one day they will because without a doubt the pendulum will swing — the spivs, the carpetbaggers and the cronies will be knocking on and going through the revolving door of the future planning minister.

The DEPUTY SPEAKER — Order! I apologise to the member for Evelyn; I did not notice her standing, as

I was listening intently. It is important that I hear what is going on so I can ensure that the standing orders are adhered to.

Mrs Fyffe — On a point of order, Deputy Speaker, the member is misusing this Parliament for vitriolic attacks and for wrong and misleading statements, which are absolutely appalling. I personally take offence at his slanderous comments and at the way in which the member is casting aspersions on me as a member of the Liberal Party. I ask that you ask him to tone down his statement.

The DEPUTY SPEAKER — Order! Under standing order 118 regarding imputations and personal reflections towards current members, I do not uphold the point of order. However, that is why I indicate that I am listening intently. I am sure the member for Melton is aware of the standing orders, and as I have indicated, I am listening carefully.

Mr NARDELLA — Today members have witnessed further interference upon the Deputy Speaker!

Glen Eira is a Liberal-dominated council. Cr Paul Peulich of Kingston City Council works at Glen Eira one day a week as an executive officer. But let us put that aside. There has been running interference in that council over many years. A municipal inspector reported on this council and disclosed that there had been political interference in it by outsiders. Those people were not referred to by name, but members in this chamber know who they are.

We all know this is the modus operandi of the Liberal Party and The Nationals; this is how they worked when in government; this is how they made sure they ran Victoria. Unless you were a mate, unless you were part of the family or unless you were one of the chosen ones, you did not get any favouritism, you did not get any contracts and you did not do any dealings with a Liberal-Nationals coalition government. The Winneke royal commission demonstrated how corrupt those parties have been, and the jailings of people are there for everybody to see.

Now the Liberal Party and The Nationals have a new policy. I want to touch briefly on the role of The Nationals, who are the upholders of country Victoria, the champions who go out there and look after country Victoria! Where were they when the coalition closed 12 country hospitals? Where were they when the coalition closed six country rail lines? Where were they when the coalition sacked all those police officers? Where were they when the regions of country Victoria

were described as the toenails of Victoria? They were there, but they were silent!

Mrs Fyffe — Deputy Speaker, I would like to draw your attention to the state of the house.

Quorum formed.

Mr NARDELLA — Where were members of The Nationals — originally known as the Country Party — when under the coalition government not one irrigation upgrade was undertaken? They were there when the schools were closed; they were there but they were mute when rail lines were closed. They were making sure Premier Kennett and his cronies were doing the wrong things when they were in Parliament. They were not the conscience of the Victorian country people; they just sat back and took it all because they wanted to keep the white cars and their ministerial positions. They were and continue to be a disgrace.

Local government: corruption

Mrs POWELL (Shepparton) — Today I grieve for the erosion of democracy in local government under this Labor government which refuses to stamp out corruption and thereby fails the people of Victoria, particularly those in the western suburbs.

Honourable members interjecting.

Mrs POWELL — To show Victorians the type of corruption evident within Labor Party ranks, today a second Ombudsman's report has been tabled. It outlines allegations that a council building inspector, Mr Peter Anastasi, used information and influence in his role with the council to obtain a personal advantage in the purchase of a property. The Ombudsman has asked that those allegations be referred to Victoria Police for its consideration. This is another damning report on the Brimbank City Council and on this government's allowance of corrupt practices in that council.

A rally is being held on the steps of Parliament House today, involving councillors from all over Victoria who are outraged at the government's removal of planning powers from local government. I grieve because I know how important local government is; it has a vital role. Labor members in this house interject that I have been a local government commissioner, but they forget that I have also been an elected councillor and an elected president of the Shire of Greater Shepparton.

I understand the roles and responsibilities of a councillor. I grieve for the councillors who will lose their jobs around Victoria not because they have done anything wrong, but because this government has failed

to stamp out corruption. It knew about those practices in the Brimbank council; it was warned for years, but it refused to do anything, and now decent, hardworking councillors across Victoria have to decide whether they want to be a councillor or whether they want to work for a member of Parliament.

These councillors have done absolutely nothing wrong, but the government has sat on its hands and allowed corruption to escalate because it does not want to upset the factional warlords and jeopardise their political careers. The factions really run Labor-dominated councils, as we have seen from the Brimbank report, which I will talk about later.

It is not just the coalition or the community that believe there is corruption in Labor councils. An *Age* article of 16 May is headed, 'Cain attacks ALP for council abuses.' It reads:

Former Premier John Cain has called on leaders of the Victorian ALP machine to show some political will and stamp out the alarming abuses of power revealed in the Labor-dominated Brimbank council.

Mr Cain says the appalling behaviour of the ALP figures in the western suburb municipality, exposed in a scathing Ombudsman's report last week, is an indictment of the whole party and a challenge to its organisational leaders.

The article further says:

It has the rules and processes to do so. All that is needed is the political will.

The article goes on:

Mr Cain, who wrote a damning internal report for the ALP five years ago on corrupt party practices in the western suburbs, says the Labor machine knows how to root out the problems.

...

In reference to his 2004 report and other investigations Mr Cain writes: 'Some years ago the Victorian ALP was shown, by internal inquiries conducted under its rules, what was wrong. It was told quite unambiguously what was needed to be done to remedy these faults. The branch stacking and ghost branch meetings had to stop. (But) for several reasons, it chose not to act.'

That is a damning indictment by a former Labor Premier of this state.

I also grieve for the people of the western suburbs who have put up with these practices for years and have begged the government to intervene. For many years community members have written letters and made submissions to the government and Brimbank council asking them to stop the corrupt practices. I do not have time to go through all of them, but one of the people I

would like particularly to speak about is Marilyn Canet, who on 1 July 2005 wrote to all members of Parliament. I have on file a copy of the letter I received from Ms Canet, who was then the Save Our Suburbs municipal representative for Brimbank.

The letter states:

The attached document has been issued to all parliamentary members and relevant planning bodies representing Victoria.

It concerns alleged corruption involving the Brimbank City Council, but more importantly, the state government's refusal to investigate and address those matters.

A letter from Ms Canet of 29 June 2005 says:

A full investigation into Brimbank City Council was recently sought in a parliamentary motion by the Hon. Bill Forwood and the Hon. John Vogels. Six Brimbank councillors (including the mayor of the time) were named in relation to alleged corruption involving a 'councillor pool of moneys' contributed by Brimbank developers, real estate agents and other businesses, intended to finance the named councillor's 2003 election campaign ...

Ms Canet goes on to talk about the letters and submissions she has put to this government and to members of the ALP for years, and nothing has been done other than the Ombudsman finally being asked to look into those matters.

The Sunshine Ratepayers Association has written numerous letters, and Darlene Reilly has been to Brimbank City Council. There have been numerous letters and submissions sent to the former Minister for Local Government and to the Minister for Planning, asking them to intervene and stop corrupt practices at the Brimbank council. A former shadow Minister for Local Government, John Vogels, a member for Western Victoria Region, also raised this matter a number of times in the other house, urging the government to step in and investigate allegations of corrupt and illegal practices by Labor councillors, and again nothing has happened.

The local MPs in the area became involved. Mr Bernie Finn, a member for Western Metropolitan Region in the other house, has continually called for investigations into Brimbank. If members read the record of the upper house debates regarding the Brimbank council, they will see how many people have asked for investigations into the Brimbank council, going back many years. In this house the member for Keilor delivered an absolute tirade on the Brimbank council in the grievance debate, and anyone who wants to understand how corrupt he saw Brimbank council as being just has to read in *Hansard* the debate of 30 July last year. It is a shame that I do not have enough time to put more on record,

but those who are interested should read the report of that tirade. The member for Keilor is the local member. He is also a longstanding Labor member, and in absolute frustration he used the grievance debate to urge the government to investigate the Brimbank council.

On behalf of the coalition I wrote to the Ombudsman the day after that tirade, calling for an investigation of the serious misconduct of two councils — the Brimbank council and the Port Phillip City Council. I sent the Ombudsman a copy of the *Hansard* speech of the member for Keilor and his claims of threats, bribery, intimidation, misuse of council funds, mismanagement, improper behaviour and the Brimbank council's failure to govern effectively. I also sent the Ombudsman a transcript of the ABC program *Stateline* of Friday, 25 July, which raised some serious issues about the conduct of Labor councillors and Labor members. Mr George Brouwer, the Ombudsman, responded on 7 August last year saying that he was conducting his own investigation into Port Phillip council but had decided to conduct a formal investigation into the Brimbank council following my request.

The Ombudsman's report was tabled on 7 May, about nine months after it was requested. This report was much awaited by the coalition, but more importantly it was much awaited by the Labor government, ALP councillors at Brimbank and all ALP members, because they would have known it would be a damning indictment of the way Labor runs councils — for Labor's benefit and not for the benefit of communities. The 208-page document goes absolutely to the cut and thrust of what was happening at Brimbank at the time. I suggest that any member who wants to find out how not to run a council and about the misuse of power by councillors should read the Ombudsman's report. I congratulate the Ombudsman on the thoroughness of the report. It was tabled on 7 May and is entitled *Investigation into the Alleged Improper Conduct of Councillors at Brimbank City Council*. It states:

Councillors are mandated to represent the interests of the community and to faithfully and impartially carry out their functions to the best of their skill and judgement. They are required to act honestly and to exercise reasonable care and diligence and must not make improper use of their position or information acquired, because of their position, to advantage themselves or any other person or to cause detriment to the council.

It further states:

Sadly, my investigation into the conduct of councillors at Brimbank City Council identified that the behaviour of many councillors failed to meet those standards.

The report goes on to detail evidence given to the Ombudsman about a dysfunctional council and the influence of persons who held no elected local government office, including individuals who would be or who were in the past precluded from holding office because of criminal convictions. These are people who are dealing with councillors, talking to councillors and trying to make decisions in their interests rather than in the interests of the people of the western suburbs.

The Ombudsman found there were conflicts of interest; an improper use of power; bullying and intimidation; misuse of council funds and equipment, including pornographic material and inappropriate software on the laptops of two councillors; the inappropriate release of information; the improper use of electoral information; and concerns about the Office of Local Government not being funded sufficiently to carry out the statutory responsibilities of investigating breaches of the Local Government Act. The report goes on and on about the corrupt practices at the Brimbank council.

The government has said it will implement all of the recommendations in the report, including having the Minister for Local Government closely monitor the activities of the council and suspending it if the current poor practices continue. The Ombudsman also recommended that the Local Government Act be amended to disqualify persons employed as an electorate officer, ministerial adviser or parliamentary adviser, or employed by a federal or state MP, from becoming or continuing to be a councillor or nominating as a councillor. As I said earlier, this means that councillors across Victoria who are hard working and are not guilty of any offence will be sacked. We have to wonder whether, when this legislation is introduced, it will be contrary to the Charter of Human Rights and Responsibilities. I understand the Municipal Association of Victoria is seeking some advice on that issue.

Some of the most damning evidence is that this government is saying it has put in place a code of conduct and conflict-of-interest guidelines while it is talking about the issue of bias and saying that councillors must come to their council chambers with an open mind and be able to change their mind.

I will read briefly from the ALP's 'municipal caucus rules'. These show how members of the ALP — councillors of the caucus — cannot have open minds. The rules state:

- 12.6.1 An ALP caucus shall be established in each municipal government area where two or more endorsed. ALP candidates have been elected to office. All endorsed ALP candidates who have

been elected to office shall belong to the ALP caucus.

...

- 12.6.6 The vote of an absolute majority of eligible caucus members shall bind all members of caucus and no member shall oppose in debate in council any matter which has been determined by caucus, except by the agreement of caucus.

...

- 12.6.9 Any member of caucus first wishing to introduce an item in council under general business shall first submit that item to caucus for its consideration.

- 12.6.10 In the case of a notice of motion which must be submitted before the notice paper is published, permission to submit such a motion must be given by the president of caucus.

- 12.6.11 The caucus shall determine who shall move and second motions to be introduced or coming before council arising from caucus decisions.

...

- 12.6.14 Meetings of caucus shall be held in camera. Unless required by these rules, no member of caucus shall divulge any information regarding the proceedings of caucus unless authorised to do so by an absolute majority of eligible caucus members or the administrative committee.

I call on the government to immediately abandon its municipal caucus rules in the public interest and the interests of good local government. People need to have confidence in local government, and they have to respect the office of local government. Victoria needs to stamp out corruption at all levels of government. Obviously this Labor government has shown that it does not have the will to do that.

It is not just the opposition that says this; former Labor Premier John Cain, the community of Brimbank and councils right across Victoria are saying we should stamp out corruption. They are telling this government to use the power it has, to use the Local Government Act to stamp it out, to stop it before it festers and grows and escalates. Those of us who support local government say stop these corrupt practices.

To stamp out corruption at all levels of government Victoria needs an independent, broadbased anticorruption commission. I believe we are almost the only state without one, so I call on the government to listen to what the opposition is saying. We support local government and ask this Labor government to put in place the Ombudsman's recommendations and stamp out corruption.

More than that, we ask the government to talk to its Labor councillors and allow them to speak on behalf of the community, not as ALP caucus members who deal with ALP policies and practices. In the interests of local government I urge the government to work with local government, to stamp out corruption and allow local government to get on with what it does best — namely, represent the interests of its community.

Agriculture: Australia Latin America relationship

Mr LANGUILLER (Derrimut) — The Australian agricultural industry has long viewed Latin America as a competitor. There are good reasons for this: many of Australia's key agricultural exports are competing with similar produce from countries like Brazil and Argentina. However, I have contended for quite a considerable period of time, and I grieve today and submit, that for a growing group of farmers, agricultural scientists and businesspeople this longstanding attitude is hampering Australia's ability to recognise the agricultural opportunities inherent in collaboration and in complementarity with a number of Latin American countries. Indeed it is contended that the persistence of this outlook has led to Australia falling behind nations such as New Zealand and Canada in capitalising on the significant benefits offered by expansion into that region.

That statement was made by the chairman of the Council on Australia Latin America Relations, Mr Bernard Wheelahan. Some believe that these benefits go well beyond purely economic considerations and contend that a move into Latin America is prudent in the light of strategic challenges such as climate change, population growth and food security. That may well contribute to the long-term sustainability of Australia's agricultural industry.

I will refer to research I had done on this matter. I wish to quote a number of the people who were interviewed during the course of that research. I thank the researcher and parliamentary intern Luke Menzel for his work. I wish to commend the work of Professor Snow Barlow of Melbourne University; Ben Foskett, former chief executive officer of Invest Victoria; Professor Barry Kohn; Simon Ramsay, president, Victorian Farmers Federation; Doug Rathbone, managing director, Nufarm; Professor Timothy Reeves; Professor German Spangenberg of La Trobe University; and Dr Frances Van Ruth.

In March 2008 I requested that research be undertaken. The resulting paper is entitled *Beyond Competition — The Case for Collaboration — Australian Agriculture*

and Latin America. The report canvasses a range of arguments in investigating Australia's relationship with Latin America with particular reference to the agricultural sector. It contains a review of the Australian government's approach to Latin America over the last decade and an account of an alternative strategy that is pursued by other governments. It also provides an overview of the Mercosur trading bloc, which is the trading bloc in the southern part of the Latin America region. It is made up of Argentina, Brazil, Paraguay and Uruguay.

I grieve about the Howard federal government's lack of vision and commitment to developing a comprehensive policy and its lack of a desire to change the paradigm that determines and defines the relationship between Australia and Latin America. Under the Howard government it was seen purely in the context of competition. Since its election the Rudd federal government has indicated a renewed interest in Latin America. The federal Minister for Trade, Simon Crean, noted, and I quote:

Australia and the countries of Latin America share important interests. The realisation of these common interests has eclipsed the impact of distance and unfamiliarity ... the government is committed to forging closer relationships with the countries of Latin America — not only in trade and investment, but beyond.

I commend those words of the federal minister and his personal commitment to looking into a relationship with Latin America. In particular I wish to commend the Rudd government for providing a reference to the joint Senate Standing Committee on Foreign Affairs, Defence and Trade in Canberra for the purpose of examining that relationship.

There are other reasons that Latin America is strategically critical to Australia. In an era of climate change, with Australia regarded as one of the most agriculturally vulnerable regions on the planet, it makes sense for the industry to look beyond our shores for growth opportunities. With increasing concern over global food security, I contend it is in Australia's national interest to harness home-grown agricultural expertise to assist developing nations in places like Latin America to ramp up their agricultural production as quickly as possible.

In June 1992 the joint Senate Standing Committee on Foreign Affairs, Defence and Trade completed an inquiry into Australia and Latin America. In summing up, the committee emphasised that, and I quote:

Even in the midst of pursuing opportunities in Asia, Australians must not lose sight of the fact that strategic planning and positioning regarding Latin America needs to be

carried out now, not in the next century when the continent is expected to be a significant economic force.

Unfortunately this advice has not been heeded to any great extent. It certainly was not heeded by the Howard government. In my judgement Australian firms have missed the boat on a range of opportunities in South America. These remarks were backed up by the joint Standing Committee on Foreign Affairs, Defence and Trade. Incidentally, I recently made a submission to this effect to the inquiry into the reference provided by the Rudd government.

As I said before, Mercosur is comprised of Argentina, Brazil, Paraguay and Uruguay. They received little attention from Australia under the Howard government. The Mercosur bloc has a combined GDP (gross domestic product) of US\$1607 billion, or half of Latin America's total GDP. These countries also account for around half of Latin America's landmass, have a combined population of 230 million and are the fourth largest trading bloc in the world. In addition, the Mercosur bloc is the fourth largest agricultural exporter in the world, yet it is widely regarded as having ample opportunities for growth in production due to an abundance of existing agricultural resources which are not being fully utilised.

In relation to climate change I wish to quote Professor Snow Barlow, who is the associate dean of strategic relationships at the University of Melbourne. He stated:

We can see these emerging trends; we are going to have 50 per cent more people by 2050 and there is going to be much more wealth in the world that will demand to eat animal protein. All of that means there is going to be a squeeze on agricultural production systems. At the same time we are dealing with climate change, which for Australia means less rainfall and probably less quality farmland. Certainly no more. Some will come and some will go, but the fundamental amount will not change. The question is: what do we do?

There are other scientists I wish to refer to and quote in relation to the same matters. While the threat posed by climate change for security seems huge, three eminent agricultural scientists from Australia who were interviewed said they were optimistic about Australia's ability to meet these challenges. All three scientists said that in terms of scientific collaboration and industry expansion into the region, Latin America was a region important to Australia's approach.

Professor German Spangenberg, who is the executive director of the biosciences research division of the Victorian Department of Primary Industries, has conducted research on a range of gene technologies for

reducing emissions of the greenhouse gas methane from livestock production. He stated:

Agriculture, at approximately 16 per cent of net emissions in Australia, is the second largest source of greenhouse gases after stationary energy. Methane emissions from enteric fermentation in livestock production account for approximately 70 per cent of agricultural greenhouse gas emissions —

that is, in Australia.

As you would know, Acting Speaker, the great majority of greenhouse gas emissions are to be found in Victoria, most likely because we are the best livestock producers in the country. Professor Spangenberg said the result of this research is important beyond Victoria and has particular reference in the Southern Hemisphere and Latin American countries. He stated:

Outputs from this research and development ... are also of significant potential impact in other countries in the Southern hemisphere ... where pastoral agriculture and livestock production are essential contributors to those economies. International collaboration and a global outlook are essential ... In this context, to maximise the impact from our research ... requires a south-south collaborative innovation ... model, including New Zealand, Brazil, Argentina and Uruguay.

I wish to commend the work of Professor Spangenberg, the Victorian government and current Minister for Agriculture and his predecessor for their engagement with Latin American countries. I commend their commitment to memorandums of understanding with Chile, Uruguay, Argentina and, more recently, Paraguay.

Professor Timothy Reeves, an expert in sustainable agriculture at Melbourne University, has said that climate change and food security add up to a compelling case for Australian agriculture collaborating with Latin America. He stated:

I think there is a real opportunity here to develop an Australian-Latin American food bowl to help feed Asia and sub-Saharan Africa. We need Australian farmers to go to Brazil, to go to Argentina and see what is happening; see the abundant land that is being farmed with cutting-edge technologies. Considering the challenges that Australia faces, now is a very good time to be building relationships with one of the emerging agricultural powerhouses of the world.

Professor Snow Barlow, associate dean of strategic relationships at Melbourne University, added that:

... in the context of climate change it will be hard for Australia to generate significant growth in production domestically. By collaborating with Latin America we would be using home-grown expertise to generate further wealth, both in their country and here at home. It's about services, it's about technology, it's about using our heads instead of our hands, in many ways.

In conclusion, and mindful of the limited amount of time available to us, I submit that the overwhelming weight of scientific evidence suggests that over the coming decades climate change will have a significant negative impact on the Australian agricultural sector. A major slowdown of productivity is expected, with some regions becoming far less suitable for current forms of agricultural production. In the light of climate change, investment and collaboration with agricultural enterprises overseas represents a strategy to broaden Australia's agricultural base and mitigate the risks associated with agricultural endeavours in the 21st century. The possible importance of this approach reinforces the need to take the opportunities outlined previously in my presentation.

I refer the house to the work undertaken by the New Zealanders and the Canadians, and particularly by the former Prime Minister of New Zealand, Helen Clark, who indicated that the future of New Zealand dairy production — which, as I understand it, is in the order of 14 million tons annually — can only be maintained and expanded by extending its dairy activities into other countries, particularly the regions of Brazil, Uruguay and Argentina. New Zealand has done so very successfully through its investments and through Fonterra, which is the largest dairy producer in the world.

Global food security is a critical strategic issue for nations around the world. There are 900 million people in the world who have hardly any access to food, and they are found mainly in Africa. There is therefore a need for us to increase our food production and to make it more affordable and sustainable. The food crisis is expected to deteriorate as climate change worsens and the world's population climbs, which could have significant geopolitical ramifications. Australia possesses significant agricultural expertise and has a unique capacity to assist developing nations to meet the food security challenge. Raising the productivity of farmable land in developing countries with similar agricultural industries is in Australia's long-term strategic interests and is consistent with the Latin American strategy that aims to build closer ties with nations in the region.

In my humble opinion, and indeed that of the scientists I have quoted and other experts in the sector, the current paradigm which has defined the relationship between Australia and Latin America is fundamentally flawed. I believe we need to move beyond the paradigm of exclusive competition — of seeing or looking at each other as competitors. We need to recognise that there are grounds for collaboration and for complementarity. I am certainly not naively suggesting that we are not

competitors. Indeed we are, and the work that Australia, through the Cairns research group, and various other bodies have conducted over the years shows that.

At the level of the World Trade Organisation we collaborate quite constructively in relation to matters that are pertinent to both regions in the Southern Hemisphere — namely, access to markets and the issue of dumping. We need to be able to see beyond that, and I strongly believe that, as was the case with the textile, clothing and footwear industries in the past, there is a future for us in the agricultural sector beyond our shores — a future of complementarity and collaboration with the nations I mentioned in my brief contribution today.

I grieve today because I believe the former Howard government paid little attention to this issue, and I am very hopeful that the Rudd government will look seriously at these matters in order to give the agricultural sector a better future.

Crown Casino: gaming expansion

Mr O'BRIEN (Malvern) — I grieve for the contempt with which the Brumby government has treated Victorians, given the massive deception and dishonesty that it has demonstrated in its secret deal to massively expand gambling at Crown Casino. The first that anybody had any inkling that the government had done this secret deal was in the budget papers, but you had to be a detective worthy of Agatha Christie to work it out. The only thing that gave an indication that any deal had been done was an increase in the revenue from Crown Casino over the forward estimates.

The budget papers show that revenue from Crown's tax in 2008–09 was \$131.3 million, but for 2009–10 it is to increase to \$144.4 million, a 10 per cent increase, with no explanation in the budget papers or the budget speech as to why this is the case and no press release put out, just figures showing a stepped increase in revenue from the casino. We wondered, we waited and we thought, 'How is the government going to explain what is a significant increase in casino revenue in what has otherwise been a fairly stable gambling budget?'. The answer came out the following week, and not surprisingly it came out on federal budget day, the Tuesday following state budget day. It was on that day, 12 May, that the Minister for Gaming slipped out a press release headed 'Tax rates closely aligned across Victorian gaming machine industry'. You would think from that headline that it had nothing to do with the casino, would you not? The government seems to be almost embarrassed about acknowledging what it has

done to try to increase the revenue it is obtaining from the casino.

What the press release from the minister should have said is, 'Government cuts secret deal to massively expand gambling at the casino'. That would have been a far more accurate headline for that press release, but that is not the way this government operates. The minister popped out this press release on federal budget day, as I am sure he was advised to do by the Brumby government's spin doctors, hoping it would all get lost in the wash of the federal budget that day.

I will come to the detail of the press release in a minute, but perhaps what was almost as extraordinary as the press release itself and its timing was the press conference the minister was forced to hold on that day. There he was outside the front of 1 Treasury Place with the state press gallery gathered around him, answering questions about this press release. It becomes apparent once you read past the headline that it is about a secret deal to massively expand gambling at Crown Casino.

From the Minister for Gaming, while he was out there spruiking the benefits of Crown Casino, came a phrase that will live in infamy. He was denigrating Star City Casino in Sydney, describing it as a 'boiled lolly experience' and comparing it to 'the rolled-gold, dark chocolate experience' of losing your money at Crown Casino in Melbourne. He is a minister of the Crown, but he sounded like the love child of James Packer and Freddo Frog. That is an extraordinary statement from a minister who is supposed to be protecting the public interest, not acting as a spruiker for commercial interests in this state. That is the first concern, that the minister seems not to understand what his role is as a guardian of the public interest, as a minister of the Crown.

The second thing I would say is that when you look at the timing of this announcement you see that the government was certain enough about this deal to put the increased revenue figures in the state budget papers that were issued the week before, and goodness knows how long before they were issued they were actually printed — I would have thought at least a week or two. The government was certain enough about this deal to put the increased revenue in its budget papers because it wanted to be able to rely on those budget figures to prop up its bottom line. but when it came to announcing this deal and telling the Victorian public about it, it waited until federal budget day to slip out the announcement.

The government was quizzed about this on ABC local radio on 13 May. The Minister for Gaming, being interviewed by Jon Faine, said:

We'd actually hoped that the announcement could have been made last week, but the agreement was not formally signed until yesterday and that was because the Treasurer was in Sydney all day Monday selling the budget.

The Premier also made a similar claim on ABC radio that morning. Jon Faine said:

You could have signed it —

the deal with Crown —

any day of the week.

Mr Brumby replied:

No, that is not true, Jon, this has been a negotiation that has been going for some time.

Budget paper 4 shows quite clearly that the government was confident enough about this deal to put the increased revenue figures in the budget papers that were released the week before, so if it thought the revenue was there and it was prepared to put it into the budget, why did it not come clean with the public at that time? Why did it wait until a week later, until federal budget day, to slip out this announcement?

This is not a government known for hiding its light under a bushel when it comes to making announcements. If it thought this was a good-news story, if it thought this was a story that the Victorian public would welcome, it would have made sure there was lots of clear air. It would have had the Premier, the Minister for Gaming, the Treasurer, the dancing girls, the fireworks, the whole shebang, and it would have made sure this was a big story. Instead it knew this stank. It knew this was dodgy. It knew the public would not like it and it knew there was a lot not to like, so it tried to slip it out on federal budget day. That is a disgraceful performance. I am not always an uncritical commentator on the Victorian press gallery, but thank goodness it picked it up and, it appears to me from the coverage it has given this issue, took the decision that the government should not be allowed to get away with this sort of dissembling on such an important issue.

We have established, first of all, that the government has been completely dishonest when it has given public statements about the timing of the announcement of this deal. The next thing is that the press release says:

Gaming minister Tony Robinson said the new agreement on the casino gaming machine tax rate would see the rate rise from 22.25 per cent to 32.57 per cent in 2014–15.

'This reform will result in tax rates being virtually equal for Crown Casino and other gaming venues', he said.

The Treasurer was asked a question by Mr Dalla-Riva, a member for Eastern Metropolitan Region in the other place, on 3 June, and in answer he said:

This is what the government embarked on: I as Treasurer formed the view that it was appropriate that Crown Casino pay a tax rate more closely aligned to that which other organisations in the state pay on the takings of electronic gaming machines.

On that basis you would assume, would you not, Acting Speaker, that by the time this deal kicks in, in 2014–15, all operators of gaming machines in Victoria will be paying a tax rate of 32.57 per cent, because that is what Crown will be paying. The minister has told us that the tax rates will be virtually equal and the Treasurer has told us that it is about equalisation. Instead, on comparable machine revenue, clubs will be paying not 32.57 per cent but 42.5 or 50 per cent tax. Whereas Crown will pay 32.57 per cent tax, hotels will be paying 50.83 or 58.33 per cent tax. So hotels and clubs will be paying up to 80 per cent more tax than Crown Casino on exactly the same revenue from gaming machines, and this government has the hide to come out and say this is about equalisation. If this is equalisation, it is some sort of *Animal Farm* equalisation where some animals are more equal than others, and Crown is obviously a more equal animal when it comes to gaming machines than hotels and clubs.

Ms Wooldridge interjected.

Mr O'BRIEN — As the member for Doncaster says, Crown seems to be first among equals when it comes to the Labor Party. The ministers might be ministers of the Crown, but perhaps they think they should be ministers for Crown, because the way they have constructed this tax deal, giving Crown tax breaks of up to 80 per cent over what hotels have to pay on exactly the same revenue, does not pass the sniff test. We have had dishonesty demonstrated on the timing of the announcement and dishonesty demonstrated on the claimed equalisation tax rates.

That brings me to the secrecy of this deal. Here is what the government will not tell us about this deal: it will not tell us who whether Crown or the government initiated this deal, it will not release the amended casino agreement and it will not say who met James Packer and Crown's senior executives to do this deal.

Interestingly we know that the gaming minister was not one of them. We know he was completely cut out of the loop. He was just sent out like a lamb to the slaughter to try to sell this smelly deal to the public and the media.

We know from the Public Accounts and Estimates Committee hearing that the gaming minister was not involved in the negotiations. He was an innocent bystander. The minister who is supposed to be in charge of regulating gaming in this state, the minister who has the job of administering an act of which controlling problem gambling is one of the primary objectives, was cut out of the loop entirely. This was a Treasury-driven process. It is all about Treasury and its interest in Crown. Crown comes first, Treasury second and problem gamblers are out the back — they do not even feature.

The agreement has not been released. We do not know who met James Packer — we know it was not the gaming minister — and we do not know who initiated the deal. The Premier will not say if it went to cabinet and will not release the advice from the gaming regulator. We know advice was sought, because the Minister for Gaming acknowledged that in the Public Accounts and Estimates Committee hearing, but that advice has not been released. Crucially, the government will not release the Treasury advice on what this deal is worth to Crown. You would think that a government which was transparent, had nothing to hide and believed in a truly negotiated deal in the interests of Victorians and Victorian taxpayers would say, 'This is the advice we have received as to what this deal means for Crown'.

Let me remind you, Acting Speaker, that this deal provides for 150 extra gaming tables to lift the number of tables from 350 to 500, which is an increase of over 40 per cent in the number of gaming tables at Victoria's only casino. The government will not tell the Parliament or the people what its advice is as to what that is worth to Crown. How on earth can the Victorian public have any confidence that this government has done a deal that is in the interests of taxpayers when it refuses to release that advice?

Let me pre-empt the comments of members opposite. Yes, there was a time when another arrangement to increase Crown's tables by 150 came before this place. But when that agreement was made, a licence fee was extracted for those extra tables. It was not just the extra tax revenue coming in through the additional tables that benefited the taxpayer, there was also a licence fee. I would like to refer to a recent article by Melissa Fyfe in the *Sunday Age* because it makes some telling points. She wrote:

There are some big questions around this deal, which is probably why the odour has failed to dissipate almost a month after it was made public. The government has locked in Crown's tax rate for 13 years and signed off on the biggest expansion of the casino's gaming capacity in more than a

decade, yet there was not a peep of public consultation about it. Crown is a monopoly business in this town about which almost everyone has an opinion, yet Melburnians got no chance to debate whether it should be expanded, or instead perhaps face some competition. There was no study on the social impacts of the expansion.

I cannot go back to 1995 when the now Premier, then the Leader of the Opposition, railed in this place against the previous agreement to expand Crown's gaming tables, but I will make the point that he demanded, 'How could you possibly support this agreement without seeing an independent economic and social impact analysis?'. Of course no such analysis has been done here.

I return to the article, which states further:

And the government essentially gave those 150 tables away for free. When, in 1995, the Kennett government ticked an extra 150 tables, it charged \$85 million in licence fees. At the time, the Auditor-General said the government could have charged \$174 million. James Packer will be pleased that he paid nothing in licence fees for these latest 150 tables.

We have here a government which has lied about the timing of the announcement, lied about the equalisation of tax breaks, and given away 150 tables to Crown Casino for nothing. I will be interested to see if members who were swept into this place in 1999, opposed to Jeff Kennett and everything the Kennett government stood for, will come into this chamber to speak on this bill when it is eventually debated and ratify this deal. Are those members happy to stand up as members of the Labor Party and say, 'This is why I joined the Labor Party. I joined the Labor Party to approve a secret deal to give 150 free tables to Crown Casino and tax rates which do over pubs and clubs by comparison.'? Is this why members joined the Labor Party? I will be very interested to see what happens.

In the meantime all we know is that we have a government that has lied about the deal, lied about its circumstances and will not come clean on the detail, and on that basis it cannot be trusted. If this government wants to realise the prospect of restoring any community confidence in its management of the gaming portfolio, it needs to learn to stop lying and start coming clean with the public.

Health: organ donation

Mr PERERA (Cranbourne) — Today I grieve about the impediments to live organ donation. As a person who has just undergone a kidney transplant and based on the experience I gained, I grieve about society's attitude towards assisting and promoting live donor organ transplants, an attitude which is

unfortunately not in the best interest of either patients or the public purse.

According to Kidney Health Australia figures, 1 in 3 Australians is at risk of kidney disease and 1 in 7 Australian adults over the age of 25 has chronic kidney disease, commonly known as CKD. Deaths from CKD have risen by 148 per cent in the last decade to 2046 in 2007 compared with 1386 in 1998, with a staggering 133 per cent rise over the last three years. These figures convince me that a striking number of Victorians are grappling with some sort of CKD. I am grateful to the constituency for presenting me with the opportunity to play a public role as a member of the Victorian Parliament. I enjoy every moment of representing my constituency and therefore I believe it is desirable for me to share my personal story, experiences and grievances ingenuously with the electorate in the hope that at least some of my constituents will someday derive some benefit out of it.

During the middle of 2006 my blood pressure shot up dramatically. My GP took quick action and I was subjected to a rigorous testing process and finally referred to a nephrologist, as I was also found to be passing excess protein in my urine. It was found that my kidney function was around 60 per cent. Latest research shows that 80 per cent of patients with failed kidneys have high blood pressure, which is a major contributing factor for CKD. While hypertension causes kidney deterioration, dysfunctional kidneys contribute to higher blood pressure. It is a vicious circle, because once you are in it you cannot get out of it until it is fixed.

At the outset the approach of my nephrologist, Dr Greg Perry, was to bring the blood pressure under control to see whether further kidney deterioration could be stalled. After prescribing five different tablets of maximum strength he was unsuccessful in bringing my blood pressure under control, so six months later I was subject to a renal biopsy which revealed I was suffering from glomerulosclerosis, the term used to describe scarring of the kidneys.

This type of kidney defect is common to diabetic patients. As a non-diabetic, it was an uncommon occurrence for someone like me. In my case, there was not any clear-cut cause that can be directly linked to this diabolic outcome. However, I was told severe dehydration, long-term usage of anti-inflammatories, being overweight and excessive consumption of proteins over a very long period of time could contribute to kidney deterioration.

The prognosis was kidney deterioration will continue at an unknown rate and sometime in the future when the kidney function drops below the critical mass of 10 per cent, either dialysis or a transplant is imminent.

At that stage the options presented to me by my nephrologist were firstly, that once it hits the critical mass you require dialysis; and if you desire a cadaveric transplant, you put your name on the donor list for a matching kidney; or secondly, you organise a compatible live donor who has to be an altruistic donor.

The dialysis has a lot of negative effects, and it is common knowledge that it is not the best approach. I have referred to the downside of the Clayton's process of dialysis in my previous contribution on this subject, hence I do not wish to revisit it in detail today. Fortunately my first cousin Lalitha Adikari was generous enough to offer her compatible kidney, the highest capacity of human giving: the gift of life itself.

After going through a rigorous testing regime in her home country, Sri Lanka, under the direction of my nephrologist, she flew to Australia when my kidney function dropped to around 13 per cent in September 2008. She was put through a rigorous screening process to identify whether she was an altruistic donor. If she did not perform well due to her imperfect level of English, the whole procedure would have been dismissed on the basis of her being a non-altruistic donor.

The focus was not on curing the patient, who had only two options, either to die early or to join dialysis patients, which would add around \$83 000 per year to the cost to the public purse. The priority was the ethical issue of whether or not the donor was altruistic. A total of 9642 patients were receiving dialysis at the end of 2007. According to Kidney Health Australia figures, one person dies every week while waiting for a kidney transplant.

After establishing that my cousin was an altruistic donor, the case was still dismissed because her body mass index was unacceptable and her blood pressure was marginally high. This was after the donor had been in Australia for about four months, at which time she was becoming anxious about going home. If the surgery is not done quickly, you squander the best opportunity of a live organ transplant.

At that stage I was very fortunate to make contact with the Monash Medical Centre, which was pleased to take my case on board. The donor was prescribed a low-strength tablet for blood pressure, which brought down her reading to perfect levels in no time. I guess,

more than anything else, the kind and caring approach of the medical team at Monash made her really comfortable and subsequently caused her blood pressure to subside.

The Monash Medical Centre performs about 75 kidney transplants per year. That includes about 10 kidney pancreatis transplants as well. They are experts in the field and in my view resources from smaller underperforming renal transplant units should be transferred to Monash to make it the prime renal transplant centre in Victoria. The potential of Monash renal section is strong and the opportunity for expansion is too good to squander. It is led by a dynamic and job-focused excellent chief executive officer in Shelly Park.

I pay tribute to all the medical staff in general for their extremely caring and professional attention and service. However, it would be remiss of me if I did not individually record my appreciation of the following key personalities who played a number of leading roles in delivering a fantastic outcome for the donor and me. I thank Associate Professor John Kenellis, who led the team along with Dr Bill Mulley; the surgeon, Alan Saunders; the transplant registrar, Dr Sharmila Ranessur; the transplant nurse, Elaine Kennedy; and Orla Maney and Tia Mark who single-handedly were responsible for initially compiling my documents and organizing quick appointments to get the ball rolling at a tremendous pace.

I also mention Iggi Abraham, research nurse, and Julie Woods, who are both doing a fantastic job prosecuting exercise and diet plans as part of a trial program for transplant patients. I commend the Monash pathology for their professionalism. I also mention Kim Minett and Amanda Ardiana from the communication section, who took on the initial role of introduction which made everything possible.

I thank my wife, daughter, son, son-in-law, daughter-in-law, extended family, my in-laws, the Sumanaratne and Christodoulou families, and the many friends who have been with me on this health journey since day 1 and have supported me through these challenges.

I also take this opportunity to thank my staff, especially Sammy Argiriou and Ian Burner-Smith who ran my office in a very capable way during my absence. I also thank members from both sides of this house and the other place for their kind wishes. I also thank the deputy chair, members and secretariat of the Family and Community Development Committee for their kind wishes and for conducting business in a professional

way in my absence. My office has been inundated with best wishes, tokens, cards, flowers and messages from many residents in the electorate of Cranbourne. I thank you dearly. I record my appreciation of the professional services rendered by my local general practitioner and nephrologist, Dr Greg Perry.

The benefits of live kidney transplants are many. They reduce the risk of rejection. It is likely that some potential recipients will die before a cadaveric organ becomes available. It is also an opportunity to bypass the rigorous process of dialysis and the average 5 to 10-year long wait for a cadaveric organ. Our donor rate has stagnated over the past years, whilst the need for organs for transplant continues to grow.

In partnership with the commonwealth, state and territory counterparts, Victoria is demonstrating its commitment to making a real difference to improving organ and tissue donation. I note that \$151.1 million has been allocated to provide for dedicated organ donations, specialist doctors and other staff in public and private hospitals.

A new national authority became operational on 1 January 2009. It will coordinate national organ donation initiatives, administer funding, and drive the implementation and further public awareness and education initiatives. The full benefit of those welcome initiatives will not be derived if measures are not put in place to support and promote live donors. At present local live donors are not given due recognition or support.

A young Victorian couple in their mid 30s — both working, with kids and paying off a mortgage — were faced with the husband being suddenly diagnosed with kidney failure. When his kidney function fell to around 10 per cent, immediate treatment was required. The wife, who was working as a contractor, qualified as a potential donor. The dilemma they faced if they went ahead with the transplant was that they would have no income, would fall behind with their mortgage payments and would ultimately lose their house.

Upalie Gunasekara was a transplant patient who underwent a cadaveric kidney transplant procedure a week before me, after seven years of dialysis and burdening the taxpayers by around \$500 000. When asked whether he could organise a live donor, his response was that he had found a person with a compatible kidney who was happy to donate, but the potential donor could not afford to travel here and stay up to six months without an income for his family as he was the family breadwinner.

Upalie told me he was quite happy to match the person's income so that the family could survive while he was preparing for the surgery and thereafter recuperating. However, he was worried that providing monetary assistance would be perceived to be a procurement of an organ, hence the donor would not be qualified as an altruistic donor. The stakes were high for him to embark on such a mission.

How many potential donors, either locally or from overseas, can afford to survive without an income for a few months in the lead-up to surgery and then afterwards? If we believe that donors, to gift an organ to a friend or relative, will forgo their income and allow their families to suffer, we must also believe in fairies at the bottom of the garden.

There is no arrangement to reimburse expenses for overseas donors and no support mechanism for them at all. On the other hand, the recipients, by providing monetary benefits, run the risk of disqualifying the donor as a non-altruistic donor. Victoria is a well-established and strong multicultural society with over 40 per cent of Victorians having roots in many other parts of the world. There are fantastic possibilities for getting overseas family and friends to donate organs to assist not just their friends or family but also the wider Australian community through introductions. I am very passionate about it. This is not only giving our patients the best possible healthy lease of life for the future but also saving the public purse hundreds of millions of dollars.

The ethical bandwagon opposes cost plus income loss reimbursement, classifying it as an incentive for the donation. This has created an attitude in our society which impedes lots of possible live donor transplants. It is like the flat-earth concept. Everybody believed the Earth was flat until somebody, somewhere checked it and put forward an evidence-based argument. The ethical gurus, as opinion leaders, will control the debate and influence society, focusing on so-called ethics until somebody somewhere kicks off the real debate about the significance of patient care and health care.

I believe the size of these challenges has outgrown the capacity of our political divisions to make a positive and effective contribution. Members of this Parliament from all political persuasions should take an active role in this debate about fairly reimbursing organ donors and promoting live organ transplant. The longer we are absent from that debate and the longer we do not do something about it, we as a society, consciously or unconsciously, help a two-tier system to exist.

One tier of Australians who are less well off will suffer with the dialysis procedures for many years and be a heavy burden to the public purse. The other tier of wealthy Australians can undergo organ transplant procedures overseas, procuring organs from businesses that generally exploit poor donors. If we are to shine as a beacon of hope to the rest of the world, this should be a land where destiny is not determined by birth or circumstances. A millionaire and a welfare recipient should have the same chance for a new lease of life. This is not an issue that should pass unheeded by responsible elected representatives in a representative democracy.

Children: protection services

Ms WOOLDRIDGE (Doncaster) — Today I grieve for the state of Victoria's child protection workforce. I also grieve for our most vulnerable children who have been victims of neglect and abuse and who are not getting the protection they need because of the Brumby Labor government's failure to address this crisis in our child protection workforce.

Child protection workers are the backbone of the child protection system. They are the front line — they take calls, they investigate claims, they work with families and they make the hard decisions to make sure our children are protected. Unfortunately what we are seeing is an ongoing failure of the Brumby government to address the massive workforce needs in the child protection system.

Ms Green interjected.

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

Ms WOOLDRIDGE — What I would like to go through in this grievance debate is a chronology of the last five or six years and to highlight the continued failures. The issues we saw five or six years ago are now exactly the same. The language is the same, the issues are the same, and this government has not done anything to make it any different.

What we are seeing, firstly, is an increasing complexity in the child protection system. In 2003 there was a report into child protection that said workers cited violence and threats of assault from parents and an increasing incidence of parental drug abuse and mental illness. This was a major reason they were leaving the system. What do we see today? Agencies no longer can deal with the early intervention services they are set up to deliver because of staff shortages and the complexity of clients they are seeing daily. They are servicing a

crisis rather than doing the work that they are set up to establish to prevent it from occurring.

We are hearing that calls to the Child FIRST system have doubled but the resources have not been put in place to match the increase in the volume of need. Now Child FIRST is also moving to a crisis-based system, where only the most severe cases can get supported.

What else do we see? We see inexperienced staff who are hit the hardest in the crisis evident in the system. In 2003 a Department of Human Services task force report found an incredibly high burnout rate amongst young people who leave that employment because of excessive workloads and poor pay.

What do we see in 2009? Solicitors are claiming there is a chronic problem of inexperienced and overtaxed caseworkers. Given the increased complexity we hear about in the Child FIRST system, which is the family information, referral and support team system, it is clear these inexperienced workers do not have the training in mental health and trauma that is needed to help young people in the system. We are also seeing that university graduates are being burnt out by what are described as soul-destroying workloads.

We also need to have a look at the government's focus on process rather than outcomes. In 2003 the child protection outcomes project, which was carried out by a DHS (Department of Human Services) task force, found that the system focused on administrative processes rather than outcomes for families. In 2009 we are once again hearing from case managers, one of whom has said she is going to quit because the department is more concerned with risk management than child welfare. She went on to say that:

Originally the system was set up to protect kids, but now I think that it's more arse-covering than actually doing something.

The department is focusing on what is being done, not on what is being achieved and whether it is fundamentally changing the outcomes and improving situations for children. How do we see this actually manifesting? It is manifesting in workforce retention being at crisis levels. In 2003 the data was that one in five child protection workforce members were leaving each year and that WorkSafe Victoria had identified staff shortages and inadequate supervision of staff and found that child protection workers were experiencing stress, high blood pressure, diarrhoea, sleeplessness, fatigue, panic attacks, loss of appetite and crying at work and at home. The Community and Public Sector Union accused the DHS of failing to protect workers and of therefore putting children at risk. The CPSU said

the workers' extremely long hours were 'having a huge toll on their health and their safety'.

What do we see in 2009? Twenty-three per cent of front-line child protection workers have resigned over the last year, and one-third of child welfare specialists employed by the community sector to help struggling families have also resigned. WorkSafe Victoria says there are unreasonable workloads, chronic low morale, growing waiting lists, fatigue, poor pay and increasingly complex needs of families, and that this is impacting on staff retention. The language used and issues are common elements: six years on nothing has actually changed.

Surprise, surprise! We also see bullying and intimidating behaviour by the department. A newspaper article of 25 August 2003 reported on Karen, a senior child protection worker who feared losing her job if she was identified. In 2009 we hear about departmental protection workers who decline to be named for fear of reprisal. Once again this is the result of bullying and intimidation of people within the system who want to speak out about how the system is not working but fear for their jobs if they do so.

We are seeing that all this is placing children at significant risk. In 2003 there were examples of staff shortages resulting in some children not being allocated child protection workers in a timely manner, and a 2004 study talked about professionals — teachers and doctors — who should be reporting having stopped doing so because they did not believe anything would be done to solve the problem. The child safety commissioner in that period delivered a report called *Child Death Group Analysis — Effective Responses to Chronic Neglect*. I would like to refer to a couple of cases from that analysis, which looks at the number of reports and what was actually done about them. These are reports relating to children who subsequently died.

In case 'F' there had been four reports that were not investigated before a fifth report, which was substantiated. The case was open at the time the child died. In case 'J' there were multiple reports over a long period of time — a number unsubstantiated and one substantiated — and then nine reports in a row that were not investigated, even though there had been a previous substantiated case of child abuse. The next report was substantiated, and, again, when the child died the case was open. It is very disturbing and disappointing. It reflects the pressure workers are under and their inability to investigate cases which should be investigated.

Again, what do we see today? Child protection workers are managing double the workloads, meaning some children are waiting up to a year to be allocated a case manager. DHS staff are forced to do health and safety checks over the phone because there is not enough time to do them face to face. The impact on children is significant. We have seen a lot of reporting recently about out-of-home care, where unknown agency staff are filling in and young people do not have any continuity in workers. It is incredibly hard to develop trust in that environment, and it is no wonder that the outcomes for children in out-of-home care are as poor as they are. This was also raised by the Auditor-General in 2005, and we can see it is an ongoing issue.

We also have significant ongoing concerns about professionals who under mandatory reporting are now required to report but who are not getting appropriate responses. I refer to a case reported in the *Herald Sun* of 26 May. There are dreadful examples of abuse and injury to young people, and this is one of particular concern. The article states:

The primary school teacher told Melbourne Magistrates Court she and a colleague contacted DHS many times after first noticing bruising to his face in 2007.

'We just kept ringing', she said.

But every time they reported new injuries they spoke to a different worker, including one who put the boy's wounds down to 'self-mutilation'.

'I was absolutely appalled', the teacher said.

Unfortunately, as we see in the papers and as we hear in the sector, these examples continue. Last year Sandie de Wolf, the chief executive officer of Berry Street, said the culmination of out-of-home care and workforce shortages meant that if we were not already in crisis, we would be facing one very shortly.

What have we seen over the years from this government? Back in 2002 the Victorian Child Death Review Committee in a report identified issues with workloads, recruitment, retention of staff, backfilling of positions and supervision, particularly in rural areas. In 2003 a task force said one in five child protection workforce workers leaves each year due to high case loads and low pay. All this time the opposition had been raising these issues with the government, asking what was going to be done and demanding action. In 2004 the child protection outcomes project recommended the development of a comprehensive long-term workforce planning strategy. These were very clear messages to this government many years ago.

In March 2004 the then Minister for Community Services, Minister Garbutt, set up the family and placement services sector development plan; its role was:

... to identify the current and future challenges facing the sector

... identify the actions required to meet these challenges

... develop a realistic and achievable process for meeting these challenges.

That was five years ago and a key focus for one of the subcommittees was to work on workforce planning. Interestingly, when you look at the details, who was actually chairing this committee to develop the family and placement services sector development plan? None other than the current Minister for Community Services, then on the backbench as the member for Bellarine. The current minister has been in the midst of this issue for five years but is still failing to take action.

In 2005 the Auditor-General identified workforce issues involving the recruitment and retention of qualified staff, and actually said:

... the recently established Sector Development Plan Workforce Planning Working Group would help to address this gap. This group is examining current and future workforce needs ... with a focus on recruitment, retention and training.

At least we have a very clear pathway for this government to do something about the massive failures in the workforce planning system back as far as 2004, but still we continue not to see any action.

In 2006 the sector development plan background paper on workforce issues was actually released. As I said, the current Minister for Community Services chaired and oversaw that process. That was an incredibly detailed document that looked at all the issues, that had hours of input from across the sector; very senior members were on that group and had lots of solutions and ideas. Two and a half years ago that paper was published by the department but still we have not seen any action.

In 2007 the University of Ballarat for the Criminology Research Council found that there were young and inexperienced workers who were burnt out and exploited, yet the system continued to fail to address it.

What have we also seen from the opposition? As shadow minister I have been raising these questions, challenging the government to do something about it and trying to understand how we can fix this fundamental crisis in the child protection workforce.

But unfortunately the response to questions on notice put to the minister has shown how the government has failed to understand the issues and to act.

In question 982 to the minister I asked, with reference to some funding that was promised for additional child protection workers, how many had been employed and had the use of the funds been evaluated. The answer was:

It is not possible to attribute the specific recruitment of child protection workers to this ... allocation.

Here is a policy from this government to put in over \$4 million for additional workers but it cannot tell us whether any workers have actually been recruited under that specific policy commitment. It has not evaluated the impact of the funding to see if it was successful in achieving recruitment and whether it has retained the staff.

In question 1324, again in the Assembly to the minister, I asked how many vacancies there were in child protection services at the start of each year. The response from the minister was:

This data is not routinely collected across Child Protection Services ...

Again the government does not know how many workers it is recruiting with its financial policy commitments; it does not know the impact of the funding it is committing; it does not even know how many vacancies it has.

These clear workforce issues that have been flagged year in, year out by very qualified senior sector and community leaders have not been addressed by this government.

In December 2008 the children, youth and families policy and funding plan identified a priority action for 2008–09: a child protection workforce strategy. Fantastic! Five years after it has been identified, and year in, year out there being a massive issue, we finally see a commitment from this government.

It is incredibly distressing for families, for individuals, and particularly for the workforce in the child protection sector who are stressed and under pressure, that they are not getting the support, not getting the strategic thinking, not getting what they need from this government to make sure that our most vulnerable can be protected and supported.

The Minister for Community Services has been leading an initiative on this for five years but has failed to act. She is complicit in the failure of the child protection

workforce, and she must act now to make sure that the child protection system can support our most vulnerable into the future.

Schools: building program

Ms GREEN (Yan Yean) — Today I grieve for the lack of support by the Liberal Party and The Nationals for education and our schools in Victoria in general. There is no support from the opposition parties for the Brumby government's education blueprint nor for the Rudd government's education revolution. At a federal level, Malcolm Turnbull's opposition parties have failed to support the three stimulus packages proposed by the Rudd government, much of which will deliver fantastic improvements in educational facilities across this nation, and particularly in Victoria.

Importantly the stimulus package will not only improve education but will deliver much-needed jobs during a time when our country and our state is going through the global financial crisis. It takes courage to stand up and act in the face of such challenges, but such courage is not evident on the other side of this chamber or with the Liberal Party and The Nationals in Canberra.

The Brumby government is undertaking the biggest-ever schools rebuilding program. I was really pleased with the commitment that it made in going to the last election, which will see every government school rebuilt, renovated or extended in the next few years.

We are now three quarters of the way through the first tranche of the \$1.9 billion Victorian schools plan in this term alone. I very much welcomed the announcement this week from the federal government of an extra \$14.7 billion for schools as part of its education revolution, and as part of the \$42 billion economic stimulus package, because it will further bolster our huge spending on infrastructure and deliver much-needed jobs particularly in my electorate.

More than \$2 billion from this program will go to Victorian schools right across the state. The Building the Education Revolution announcement demonstrates a federal government that is genuinely dedicated and committed to working with the states and territories in this time of global financial uncertainty. That was something we certainly did not see in more than a decade of the Howard government — it was another lost opportunity.

We are working closely with the federal government because we are committed to the needs of our kids in the 21st century and we know this co-operation will

deliver essential construction and maintenance work that will commence as quickly as possible. Many of these projects are spade ready and will have a great impact on job creation.

There are three key elements. There is \$12.4 billion to build or refurbish large-scale infrastructure in primary schools, P-12 schools and special schools including libraries and multipurpose halls. There is \$1 billion to build science laboratories and/or language learning centres in our secondary colleges. As I said earlier, that complements our plans under the Victorian schools plan to refurbish, replace or build 200 science classrooms within this term of government. In addition there is \$1.3 billion to refurbish and renew existing infrastructure and build minor infrastructure in all our schools, including new schools that have been built in recent years.

Importantly the federal government has followed the lead of the state government with our new facilities and said that major facilities such as halls or indoor sporting centres that are built or renewed in primary schools must be made available for community use at either no cost or low cost. It is not just about delivering new facilities during the 38 weeks of the school term, these great new facilities will be available 52 weeks a year and into the evenings and on weekends. This will be particularly good in areas like my stressed communities that are recovering from the tragic bushfires.

Specifically in my electorate I was particularly pleased to see the announcement that was made this week about two of the smaller schools abutting bushfire-affected areas. Arthurs Creek Primary School and Doreen Primary School will each receive \$850 000. Kangaroo Ground Primary School also has many students who are bushfire affected, and it will receive \$2 million for new facilities at Kangaroo Ground. The Lakes P-9 school will receive an additional \$1 million. Whittlesea Primary School, whose students were very affected by the fires with many of them coming not only from the local area but also from up the hill at Kinglake and from as far away as Flowerdale, will have a new library constructed at a cost of \$2.4 million. St Mary's Primary School in Whittlesea also has quite a lot of bushfire-affected students, and I am pleased to see the Catholic system is a beneficiary of some of this federal money. It will receive \$2 million for a multipurpose hall, which will be great for that community.

The announcements made this week are in addition to those that were made in the first nation building economic stimulus plan and in the state budget. Diamond Creek East Primary School will receive

\$3 million to carry out the next stage of its plans. Meadow Glen Primary School will also receive \$3 million. Panton Hill Primary School, which is another of my favourite schools — they are all favourite schools — will receive \$850 000. Another Catholic school, Sacred Heart School in Diamond Creek, will get a new library and classrooms at a cost of \$2 million. Eltham High School will also have significant funds spent on it, delivering on the commitment made in the week following the fires by the then acting education minister, who is the Minister for Children and Early Childhood Development. Strathewen Primary School will be rebuilt during term this budget year.

There is a simple choice for the community as to which party it sees as the natural party of support for education, and not just for public education. As I have outlined, the Catholic system is being very well supported by both state and federal Labor governments. These decisions are very good for our children's futures, and they also protect the jobs of local families as well as boosting education. It is our side of politics that does this and not the other side, which is why I grieve today.

I would not want to be the local member who visits their local schools and has to confess to families that they failed to support the Rudd government's stimulus package which is delivering these additional great school facilities, or who has to try to explain why they did not support this school funding. I think those on the other side would find that incredibly difficult. But then my federal counterpart, the member for McEwen, Fran Bailey, who failed to speak on or to support any of those three economic stimulus packages, is not a regular visitor to schools. I was at the Mill Park Lakes P-9 school this week and, without being nasty, I noted in passing conversation with staff that in the two years of its operation the federal member has never visited that great new school except on election day to cast her vote.

I think one of the great joys of representing the Yan Yean electorate, and something that I take great pride and indeed pleasure in, is visiting all of the schools regularly — I make it my business to visit each of my schools at least twice every year. I get great pleasure from seeing the great work that is done by our teachers and our students in these wonderful schools, whether it is sitting down with the kids and reading a story and talking to them about the Premier's reading challenge or learning from the Mill Park Lakes kids about their achievements in only two years. In the first year of operation the school won a United Nations environment award, and it received an award from the Victorian

Association of Forest Industries. Students also won national literacy awards, which just shows what a great quality education the kids are getting there.

I think the Liberals and The Nationals in this place and federally stand condemned. They should have stood up against their national leader, Malcolm Turnbull, and in the interests of Victorian families opposed his attempts to block the federal Labor government's stimulus spending packages for schools. I reiterate — I think my community should be aware of this — that on all three occasions Fran Bailey failed to support these stimulus packages, which are great for our kids and great for local jobs. For all their carping from the sideline, this simple test for the clowns on the other side showed they have nothing to offer the Victorian community when it comes to education — other than their record of shutting down schools, such as the Wollert Primary School in my electorate; sacking teachers; and not properly resourcing education during those seven dark years. Now they are rejecting a massive school funding package when they have the opportunity to support education in Victoria.

I am proud to have been part of this Victorian government since 2002. Since 1999 the Victorian Labor government has spent an additional \$7.9 billion to repair the damage done by the former coalition government. We have put an extra 8700 teaching staff back into the system, and we have a plan for further investment and improvement through our education blueprint, and I urge those opposite to get on board.

In terms of the specific investments that have occurred in my electorate, in 2011 a new school will open at Mernda — Mernda Central Primary School — and this year saw the opening of Laurimar Primary School. I had the privilege of ringing the bell at Laurimar Primary School on its first day, and that was an event I will treasure. The Epping Views Primary School opened midway through 2009. The staff did a fantastic job in hosting kids from three bushfire-affected schools earlier this year and opening their hearts to those kids, so good on Epping Views Primary School. Mill Park Lakes in South Morang saw the opening of a prep to year 4 school and a year 5 to year 9 school, and the Merriang Special Development School campus is co-located there. I was privileged to be with the Premier, John Brumby, last year when he undertook that opening.

In terms of school upgrades, new classrooms have been built at Epping Primary School, Meadowglen Primary School, Apollo Parkways Primary School and Diamond Creek East Primary School. There have been upgrades and additional works done at Diamond Valley College,

and the government has now committed \$3.5 million worth of funding and land for the construction of a stadium at that great school. That stadium will service the kids there, the local community and the Diamond Creek East Primary School next door. Whittlesea Secondary College has had numerous upgrades, and just over the river Andersons Creek Primary School, which a lot of students from families in my electorate attend, had some improvements made to its recreation facilities.

I stand here with great pride, and everyone in my community can see the tangible benefits of Victorian Labor's commitment. We have backed our commitment to education, which is the Victorian government's no. 1 priority, and you can see that in those great facilities which are the hub of education in my electorate.

I will also mention the Catholic sector in terms of the capital being spent there, which was announced only this week by the Rudd Labor government. I have been pleased to support and to talk to the various Catholic schools in my electorate about our four-year funding agreement with the Catholic school system, which is delivering great outcomes. It is the second agreement we have had with the Catholic system, and we are the only Victorian government to have struck such an agreement.

As a product of the Catholic school system and as a supporter of that system and of the state system I am very pleased that this \$1 billion funding agreement was struck. I was pleased to receive the thanks of the head of the Catholic Education Office, Stephen Elder, during the recent opening of St Joseph's Primary School in Mernda. He also gave his thanks to the government for that agreement. I was pleased to receive those thanks from him — it meant a lot, given that he had served in this place under a different government. In conclusion, the community and I grieve about the failure of the Liberal Party and The Nationals to support the great education initiatives of the Rudd and Brumby governments.

Question agreed to.

STATEMENTS ON REPORTS

Public Accounts and Estimates Committee: budget estimates 2009–10 (part 1)

Mr WELLS (Scoresby) — I rise to comment on the Public Accounts and Estimates Committee's report on the 2009–10 budget estimates, part 1, volumes 1 and 2.

I am a member of the Public Accounts and Estimates Committee, and the opposition parties' concern during those estimates hearings was about trying to get a straight answer from the witnesses. I will give a couple of examples before going to the one I want to focus on.

The Minister for Public Transport came in to address the hearing. I remember asking very clearly about how many changes there were in contract variations. We were given the numbers and were satisfied at that particular point. Further on in the hearings there was a sudden change in the definition which entailed a change in the scope. Rather than being given the information up-front — that a variation of contract and a change in scope are two different things — we had to drag that out of the minister. The minister should have been more up-front with the information. It was a public hearing into the public accounts over the forward estimates period, and to say — —

Ms Kosky interjected.

Mr WELLS — The minister interjects and says we should have had a better understanding. A change in contract variation is different from a change in scope. They are two different things. The minister could have taken the opportunity to explain that in the public hearing. We just wanted a little bit of honesty from the minister. However, the government could not come forward with that. It is all about smoke and mirrors and about being as deceitful as you possibly can be in public hearings. We caught the minister out, and I noticed there was something in the *Age* newspaper about it the next day.

The issue I want to focus on concerns the Minister for Planning. The Premier told radio station 3AW that the Minister for Planning would be held accountable at the Public Accounts and Estimates Committee hearings, and that in terms of any questions that PAEC needed to ask, the hearings would be the forum for such questioning to take place.

The opposition then took those comments from the Premier on 3AW into the PAEC hearing, and I mentioned them. At the hearing I referred to what the Premier had said on the Neil Mitchell program. I said the Premier had said:

... the minister would be coming before public accounts, he would be asked these sorts of questions and he would be accountable. That is the assurance the Premier gave yesterday on the Neil Mitchell program, so we are assuming that the minister will be able to answer these questions.

On the Neil Mitchell program the Premier said:

Justin is appearing this week before the Public Accounts and Estimates Committee — I think on Wednesday.

When the minister appeared before PAEC we were expecting a number of answers, but he did his very best to avoid the first question put to him about Hakki Suleyman. What we wanted to know was when he first became aware of the activities of his staff member, Hakki Suleyman. Then, after a number of interjections, the minister went on to say further — and this is quoting from what the minister said at PAEC:

The extent of Mr Suleyman's involvement in any matters dealing with the council came to my attention through the Ombudsman's report.

Mr Suleyman had been a staff member in the minister's office for, I think, 10 years — I am happy to be corrected on that — but the planning minister said the first time he became aware of any dealings between Mr Suleyman and the council was when the Ombudsman's report was going to be presented. No-one would take that seriously. That is an embarrassing situation, and unfortunately as we moved through the hearing the committee chair pulled him up when he started to laugh at a couple of questions. He was quite rightly pulled into place.

Mr Dalla-Riva then went on to ask a question about — —

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

**Public Accounts and Estimates Committee:
budget estimates 2009–10 (part 1)**

Mr STENSHOLT (Burwood) — I also wish to speak on volumes 1 and 2 of the report on the 2009–10 budget estimates, part 1, which I tabled on 2 June as chair of the parliamentary Public Accounts and Estimates Committee. I was a very strict chair, as I have mentioned before, and I am sure the member for Benalla will back me up in that regard.

It has now become practice that, as soon as possible after the hearings have finished, we present to Parliament the report of the committee. For the 10th year in a row the hearings involved the Premier, the Deputy Premier, the Treasurer, the presiding officers and all the other ministers. It was very good to see them all appear, and the committee tabled parts 1 and 2 of this report, including the transcripts of all the hearings.

Members can read in the foreword of the report a list of issues raised. We provided questionnaires to all the ministers and asked them to provide answers to those questionnaires. We then asked questions at the hearings. The responses to those are in the transcripts, and any additional questions raised which were not answered by ministers were put on the record and ministers were given 30 days to provide answers.

I did have concerns, as chair, over some of the proceedings. On occasion I had to remind some members of the need to behave with the appropriate respect and decorum required by parliamentary procedures. While I am happy to accept the robust regime of questioning on the budget estimates, grandstanding simply for the television cameras, quite frankly, is clearly out of order.

I also note that in the extracts of proceedings there were several unsuccessful motions recorded. The committee twice had to break into private meetings in order to deal with motions put forward by members. While as chair I had some sympathy with the motion put forward on 8 May — indeed I will be corresponding with the Premier on the issue of the timely provision of documents to the committee — the majority of the committee was happy to proceed with the hearing involving the environment minister.

However, I had no sympathy for the motion of 20 May. The mandate of the committee, which is received from Parliament, is to inquire into the budget estimates and matters related to the budget and the budget papers. It takes its direction from Parliament. Despite what the member for Scoresby just said, it does not take its direction from Neil Mitchell or the Premier or from an interpretation of what has been said on a morning radio program.

I would also like to point out other features of the papers put forward in this report. I have already mentioned that we have included the questionnaires that were provided to departments and the departments' responses to them. They are very full questionnaires, and I invite all members to look at them. When they make their speeches to Parliament on the appropriation bill they will find there is a wealth of information in the report terms of the management of the public sector in Victoria, about what the money that we are appropriating is being spent on.

We also asked in our questionnaires whether each minister and department could put down the key issues facing them and the key assumptions they have used in framing their projections for 2009–10. Each department

has to provide that information on the funding to be provided by Parliament to the department.

I also as chair, as I have done in past years, took the liberty of asking each minister and each department a particular question about something which was very pertinent to the forward estimates and to budget-related matters. This year it was: what federal grants or funding is being received by your portfolio or department, and what are the processes being used in order to ensure that this money is properly spent?

The next report to come before Parliament on the estimates, in terms of the analytical side, will include an extended chapter on how those federal grants are spent. This is a very comprehensive report provided to Parliament to help with the debate on the budget.

Public Accounts and Estimates Committee: budget estimates 2009–10 (part 1)

Dr SYKES (Benalla) — I rise to speak on volume 2 of the Public Accounts and Estimates Committee report on the 2009–10 budget estimates, part 1. First of all I congratulate and thank the committee staff, ably led by Valerie Cheong, who have done a fantastic job in pulling this report together, along with a couple of other major reports, in a very short space of time. I also acknowledge that the chair had a difficult job at times, chairing the committee hearings tightly, but he did a damned good job.

I would now like to comment on a couple of particular aspects of the report and in particular those aspects relating to youth and to mental health. In relation to youth the committee interviewed the Minister for Sport, Recreation and Youth Affairs on 20 May and discussed the importance of supporting young people. The minister highlighted the Respect program, which encourages the development by young people of self-respect, respect for others and respect for property.

That program has been piloted in the metropolitan area and also some large provincial cities, but the minister said there is a need to pilot that program in smaller rural cities, and I have volunteered Benalla to participate in that program, because, as I have raised here previously, we have a number of issues with serious social disadvantage in the Benalla area.

In relation to Benalla we also discussed the importance of the upgrade of a Benalla skate park for young people, and the minister has kindly agreed to meet a deputation of young people who are seeking his support for funding for the upgrade. The deputation will be led by Zac Connell, who is leading the charge. He is ably

supported by Benalla Secondary College students and many other young people, and in particular Cam Pianto, who is an international BMX competitor.

The Benalla Business Network is also supporting the young people in their push for the upgrade of the skate park. Kyra Rheese is driving that matter. The Benalla community in general sees this as an important project. I am looking forward to meeting with the minister together with the deputation and to winning the minister's commitment for funding to have this skate park upgraded so that our young people can use their time productively and develop further the fantastic coordination skills they exhibit on the skate park.

I now turn to mental health services. The particular issue of concern to me is the interaction between people with mental health issues and the police. Committee members raised this issue with the Chief Commissioner of Police, Simon Overland, and with the Minister for Mental Health during the interviews. I have also spoken at length on this issue with outreach worker Ivan Lister, whose name should be known to many in the Parliament, and Inspector Frank Johnson of Benalla police. It comes down to two issues. The first is the need for continual basic training for members of the police force along the lines of the mental health first aid program. Part of the training needs to enable officers to differentiate between stress and true mental illness. That is particularly important given the impact of the drought in increasing the stress levels of people in country Victoria. The chief commissioner agrees with that need, and I note there have been recent developments involving changes to police responses to people with mental health issues. There will be a shift towards more use of containment until expert support arrives.

That raises the second issue, which is the availability of expert backup. There are the crisis assessment and treatment (CAT) services, but there is limited availability of those services in country Victoria. The Minister for Mental Health acknowledges that. However, I had difficulty during the interview process in getting a clear understanding of whether the current budget provides for significant upgrading of CAT services or whether the lack of availability is going to be an ongoing problem.

I should say also that the need for these services and a general improvement in mental health services in country Victoria is highlighted in documents obtained recently under freedom of information. We see, for example, that 55 per cent of mental health patients at Wangaratta District Base Hospital fail to get care in the community before entering hospital. That is a serious

situation. As I have said, the level of mental health issues has risen dramatically as a result of the drought. The need will continue for two years after the breaking of the drought, so I make a plea to the minister to ensure that the services are there.

In closing, many issues were raised during these interviews with the ministers, the Treasurer and the Premier, and I look forward to speaking on several more occasions on the outcomes of these interviews.

Electoral Matters Committee: political donations and disclosure

Ms GRALEY (Narre Warren South) — It is with pleasure that I make some comments on the report on political donations and disclosure by the Electoral Matters Committee. This is an important report because it is very much about the health of our democracy and the way that as political parties we should operate transparently, indeed properly, during elections.

We all know that both major parties accept donations from various organisations. The report notes that donating money to a political party was once considered an admirable thing to do. The community respected a person who made a financial contribution to a cause that they believed in. Somewhere along the way this perception has changed. I would like to state that in my view there is nothing wrong with donating money to a political party as long as the donation is transparent and is open to scrutiny. Laws are already in place to regulate the disclosure of such donations. However, the nature of our federal system has meant that there are several different laws throughout Australia. The commonwealth and each state and territory have their own laws covering political donations and disclosure. The laws vary between jurisdictions. The report notes that:

... commonwealth, states and territories are able to legislate on the subject, which has the potential to create numerous sets of rules on political finance.

For example, under commonwealth law federally registered political parties in Victoria are required to disclose all political donations they receive of more than \$10 900. Independent candidates and political parties registered only in Victoria are not required to comply with any disclosure laws. I am pleased that the committee has recommended:

The Victorian and commonwealth governments consider how best to harmonise political finance laws to ensure a uniform and consistent approach.

We need consistency in these laws. Our democracy deserves it. We may stand in different elections at

different levels of government, but we all stand under the same democracy. I welcome this recommendation.

Another law we have in Victoria that is not shared by other jurisdictions is that which covers donations from holders of casino and gaming licenses. Under Victorian law, holders of casino and gaming licenses are prohibited from making political donations of more than \$50 000 a financial year to each political party. The recent changes to electronic gaming machine licensing in Victoria will result in more organisations, including community clubs, owning poker machines. The law may need to be revised to take that into consideration, so I am pleased that the committee recommends:

The Victorian government updates the caps on political donations contained in the Electoral Act 2002 (Vic) in light of forthcoming changes to the structure of licensing of electronic gaming machines.

The report notes that Victorian law has set a precedent in terms of restricting the source of political donations, and I am proud that the Labor Party has a policy of not accepting donations from tobacco companies. I am unaware of whether the Liberal Party has a similar policy.

The third and final recommendation in the report is:

The Victorian Government amend the Electoral Act 2002 (Vic) to ensure that the reporting and disclosure provisions that apply federally to registered political parties, also apply to independent candidates and political parties registered in Victoria.

This goes back to the first recommendation in the report. It is about ensuring that there is consistency with political donation and disclosure laws. As I have already mentioned, under commonwealth law federally registered political parties in Victoria are required to disclose all political donations they receive of more than \$10 900. Independent candidates and political parties registered only in Victoria are not required to comply with any disclosure laws.

I welcome all of the committee's recommendations and congratulate it on its very comprehensive report. As I have said previously, we need to ensure through our laws that political donations are transparent and open to scrutiny. I am therefore pleased that the commonwealth has sought to amend the commonwealth Electoral Act to enhance transparency and scrutiny. These amendments include reducing the disclosure threshold from \$10 900 to \$1000 and introducing a biannual disclosure framework in place of annual returns to provide for more timely disclosure. I congratulate the

commonwealth government on its commitment to this matter of importance to our democracy.

I also once again congratulate the members of the Electoral Matters Committee on their report, and in particular the chair, Adem Somyurek, a member for South Eastern Metropolitan Region in the other place. I congratulate the chair on facilitating a good level of cooperation on the cross-party committee, which meant that it was able to produce some sensible recommendations. I commend the report to the house.

**Family and Community Development
Committee: involvement of small and medium
size business in corporate social responsibility**

Mr MORRIS (Mornington) — I rise to make some comments on the report of the Family and Community Development Committee inquiry into the involvement of small and medium size business in corporate social responsibility, which was tabled in August 2008. The coalition was very effectively represented on that inquiry by my honourable friend the member for Shepparton, who was the deputy chair of the committee, together with the member for Doncaster and Mr Finn, a member for Western Metropolitan Region in the other place.

I thought it was an interesting request from the government. The terms of reference sought information on the involvement of small and medium size business in the area of corporate social responsibility, including the involvement of small and medium enterprises in innovative ways of working with government and community groups, and the international context — what was going on overseas — particularly with the aim of tackling disadvantage and how that might be translated to the domestic setting. There was a request to determine the drivers of involvement in corporate social responsibility and options to address the barriers to both initial involvement in corporate social responsibility and the sustainability of initiatives once they got started.

As a person who has spent most of his working life in small to medium enterprises, and indeed the vast bulk of that in small enterprises, I think I have more than a slight acquaintance with the issues. The terms of reference seemed to me to indicate a government view that small business is really just another reserve to be tapped, another way to divert responsibility and to eventually blame for foundering services that should be provided, but often are not, by the government.

The terms of reference convey very effectively how out of touch the government is with the realities of small

business life. The first rule for any small business is to stay in the black, to keep functioning and surviving. Only if they achieve that primary goal can they then pay their bills, including their tax bill, clothe and feed their family and perhaps provide employment for others. Small businesses are in business to make money and create jobs; they are not there to provide an alternative resource stream for any government.

The committee took evidence from 17 witnesses — and I am surprised that it was not more than that. The break-up is illuminating: 13 of the 17 submitters were from community organisations, the academic world or the union movement, or they were associated with the promotion of corporate social responsibility. One submitter was the Minister for Community Development, two submitters were from employer groups and only one was a representative from a medium size enterprise — namely, Dawn Mau from Ritchies Stores, which, it has to be said, has tremendous community involvement. That was the extent of the input.

I imagine the committee actively sought submissions from many more organisations, but unfortunately they were not forthcoming, which indicates that people are actually out there trying to get some work done. If they were interested and had a look at the terms of reference, they would have read them and thought, ‘Why would I be bothered getting involved in that?’. I think that is a pity, because corporate social responsibility, and indeed social responsibility generally, is not just important, it is critical for the maintenance of a civil society. Given the somewhat loaded terms of reference, I congratulate the committee for the practical and measured approach it took in preparing its recommendations.

I want to highlight two recommendations made by the committee. The first recommendation sought research quantifying the benefits of corporate social responsibility. I thought perhaps that could have been thought about before the reference was made, rather than later, although I certainly agree that the work is necessary. Secondly, recommendation 4 recognises that corporate social responsibility has limited relevance for small to medium size enterprises and that perhaps alternative terminology needs to be explored.

It is important that everyone in business — small and large — local government and state and federal agencies engage with their local community. There are considerable benefits, both financial and otherwise, to be gained both for the participant and the community as a whole. I commend the committee for the common-sense approach it reached despite the terms of reference.

Environment and Natural Resources Committee: Melbourne's future water supply

Mr PANDAZOPOULOS (Dandenong) — I am pleased to be able to participate in statements on committee reports today. The report I want to refer to is the Environment and Natural Resources Committee inquiry report tabled on 2 June on Melbourne's future water needs. I want to thank the other seven members of the committee, including the member for Macedon, who is in the chamber at the moment, and the secretariat, for their support and hard work. I think the committee did a fantastic job over 18 months.

It does not necessarily mean that you get a unanimous report, as the committee did in its report on bushfires. There were two small differences. The opposition parties voted against only one of 48 recommendations — that is, the majority view of the committee was that no new dams were required. I will talk a bit more about that later. We nearly had a unanimous report. The member for Gippsland East, as the deputy chair of the committee, submitted a minority report on wastewater reuse. He has a very strong belief that in making efforts to clean up our recycled wastewater, we should be making it of a drinkable grade — what is commonly called indirect potable reuse — and mixing it in our water supply. The committee did receive a number of fantastic submissions.

The predominant view in the committee report tabled in this house was a recognition that we need to diversify our current water augmentation strategies. At the moment we are 80 per cent dependent on rainfall for Melbourne's water supply. With the way the government views dams at the moment, that is clearly not the way to go. The committee has in effect endorsed the government's strategy of diversifying where we access our water from. The report of the committee not only recognised projects either under construction or in the pipeline, it also added to that so that we can focus additional energies on where we believe Melbourne's extra water will come from.

Our starting point was we recognised that since 1978 — and this information is only more recent because we have had a whole lot of climate change sceptics who still talk about round circles, Senator Fielding being the latest one — there has been debate about whether climate change is happening. Whether or not you accept that climate change is happening, in the last few years Melbourne, as well as other parts of Australia, has faced considerable reductions in natural rainfall.

Since 1978 the equivalent of 250 gegalitres per year has been lost in natural rainfall from Melbourne's water catchments. That is a huge amount of water suddenly disappearing from the system. Whilst there is criticism from the opposition about the government moving hastily on the north–south pipeline, desalination plants and other projects, the reality is that when you consider such a massive reduction in natural rainfall — which has only in more recent years been accepted as the scientific norm — you realise that the government has acted very rapidly and responsibly on the direction it is taking in diversifying its water augmentation needs.

Whilst we had a lot of critics making submissions about the government's projects, clearly the water experts, not just in government but outside, accept that the government had to move drastically on some major serious water augmentation strategies if we were to be able to sustain our quality of life as a city, our growing population and the needs of industry. So when we look at the desalination plant as proposed, which will take 150 gegalitres of water — —

The ACTING SPEAKER (Mr Seitz) — Order! The member's time has expired, as has the time for making statements on committee reports.

NATIONAL PARKS AMENDMENT (POINT NEPEAN) BILL

Statement of compatibility

Mr BATCHELOR (Minister for Community Development) 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 National Parks Amendment (Point Nepean) Bill 2009.

In my opinion, the National Parks Amendment (Point Nepean) Bill 2009, 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:

provides for the addition of land at the quarantine station and the abutting intertidal zone to Point Nepean National Park under the National Parks Act 1975;

provides leasing powers (and associated licensing powers) to enable the minister to lease land (including buildings) for a period up to 21 years (and up to 50 years in specified circumstances) for purpose(s) which the

minister considers are not detrimental to the protection of the park, including its historic, indigenous, cultural, natural and landscape features;

provides for the minister to grant a licence or permit for up to seven years to occupy or use any land (including any buildings) in the quarantine station area of the park, consistent with the objects of the National Parks Act 1975.

Human rights issues

1. Human rights protected by the charter that are relevant to the bill

The bill engages two human rights protected by the charter.

Section 12 — freedom of movement

Section 12 of the charter provides that every person lawfully within Victoria has the right to move freely within Victoria. It includes the freedom from physical barriers and procedural impediments.

This right is relevant to clause 5 of the bill which inserts section 30AAA in the National Parks Act 1975 to enable the minister to lease land in the quarantine station area of the national park for certain purposes. The new section will provide the power to grant a lease and, to that extent, engages the right to freedom of movement. The granting of a lease conveys a right to occupy an area or premises to the exclusion of others.

Section 19 — Cultural rights

Section 19 provides the right for Aboriginal persons to maintain their distinctive spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs.

This right is also relevant to clause 5 of the bill relating to the granting of leases, as described above. A lease conveys a right to occupy an area or premises to the exclusion of others. The new section 30AAA will provide the power to grant a lease and, to that extent engages cultural rights under section 19. The granting of a lease may limit cultural rights under section 19 because it affects the ability of Aboriginal persons to conduct cultural ceremonies or activities within areas over which a lease is granted.

2. Consideration of reasonable limitations — section 7(2)

Freedom of movement

(a) the nature of the right being limited

The right to freedom of movement is a fundamental human right which protects against restrictions on people’s ability to move freely within the state.

In this instance, the limitation relates to public access to areas in the quarantine station addition to Point Nepean National Park over which a lease is held.

(b) the importance of the purpose of the limitation

There are some 65 heritage-listed buildings in the quarantine station area. To realise the site’s potential as a unique tourist

attraction will require investment in the adaptive reuse of the heritage buildings and, potentially, appropriate new developments. Those willing to invest in ventures such as education and training facilities, and accommodation and other tourism-related ventures, require exclusive occupancy in the form of a lease.

(c) the nature and extent of the limitation

Where a lease is granted, the lessee is entitled to exclusive occupation and use of the property in accordance with the lease terms. The right to occupy and use the property endures throughout the term of the lease and is to the exclusion of all others.

A lease may therefore limit the freedom of movement within areas over which a lease is granted.

The bill provides for the minister to lease land in the quarantine station area of the national park for a period of up to 21 years or, in specified circumstances, up to 50 years.

The proposed section 30AAA provides the power to grant a lease. In the actual granting of a lease, the minister acts as a public authority and is subject to section 38 of the charter. Section 38 requires a public authority to give due consideration to charter rights when making a decision. As such, there is an obligation to consider charter rights on a case-by-case basis when leases are granted. When deciding whether the particular circumstances warrant granting a lease, the minister will need to give relevant consideration to the right to freedom of movement under section 12 of the charter.

(d) the relationship between the limitation and its purpose

Any limitation on the public’s ability to enter and move freely within leased property is a direct consequence of granting a lease under the National Parks Act 1975.

(e) any less restrictive means reasonably available to achieve its purpose

There are no less restrictive means to achieve the purpose identified in (b) above, nor to ensure lessees are granted exclusive occupation of the leased property.

(f) any other relevant factors

There are no other relevant factors.

Cultural rights

(a) the nature of the right being limited

Section 19(2) of the charter provides that Aboriginal people have distinct cultural rights and must not be denied the ability to enjoy their identity and culture, or to maintain their distinctive spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs.

(b) the importance of the purpose of the limitation

There are some 65 heritage-listed buildings in the quarantine station area being added to Point Nepean National Park. To realise the quarantine station’s potential as a unique tourist attraction will require investment in the adaptive reuse of the heritage buildings and, potentially, appropriate new developments. Those willing to invest in ventures such as

education and training facilities, and accommodation and other tourism-related ventures, require exclusive occupancy in the form of a lease.

(c) *the nature and extent of the limitation*

Where a lease is granted, the lessee is entitled to exclusive occupation and use of the property in accordance with the lease terms. The right to occupy and use the property endures throughout the term of the lease and is to the exclusion of all others.

The bill provides for the minister to lease land in the quarantine station area of the national park for a period of up to 21 years or, in specified circumstances, up to 50 years.

A lease may therefore limit the ability of Aboriginal persons to conduct cultural ceremonies or activities within areas over which a lease is granted.

The proposed section 30AAA provides the power to grant a lease. In the actual granting of a lease, the minister acts as a public authority and is subject to section 38 of the charter. Section 38 requires a public authority to give due consideration to charter rights when making a decision. As such there is an obligation to consider charter rights on a case-by-case basis when granting leases. When deciding whether the particular circumstances warrant granting a lease, the minister will need to give relevant consideration to the cultural rights of Aboriginal people under section 19 of the charter.

(d) *the relationship between the limitation and its purpose*

Any limitation on the cultural rights of Aboriginal persons is a direct consequence of granting a lease under the National Parks Act 1975.

(e) *any less restrictive means reasonably available to achieve its purpose*

There are no less restrictive means to achieve the purpose identified in (b) above, nor to ensure lessees are granted exclusive occupation of the leased property.

(f) *any other relevant factors*

There are no other relevant factors.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because, although a lease will limit the right to freedom of movement under section 12 and cultural rights under section 19, the limitations are reasonable.

Peter Batchelor, MP
Minister for Community Development

Second reading

Mr BATCHELOR (Minister for Community Development) — I move:

That this bill be now read a second time.

The National Parks Amendment (Point Nepean) Bill 2009 will incorporate the historic quarantine station into Point Nepean National Park, thereby implementing one of the government's key 2006 election commitments.

Also in fulfilment of its election commitments, the government will invest \$10 million towards the upgrading of infrastructure at the quarantine station, and \$4 million over four years for the management and operation of the expanded park.

Realising a vision

The historic transfer of the 90-hectare quarantine station from the commonwealth to Victoria in June 2009 follows the transfer of the 205-hectare former weapons range area in 2006 and the transfer of the original 265 hectares in September 1988 that formed the first part of the national park.

Incorporating the quarantine station into Point Nepean National Park is therefore the final instalment in realising the long-held aspiration of the Victorian community and the Victorian and commonwealth governments of returning this historic site to Victoria, and permanently protecting this outstanding heritage site in a national park.

Many individuals and organisations have long campaigned for the protection of the quarantine station's heritage values, as well as public access to the site. These have included: members of the local community and local associations such as the Nepean Historical Society and the Nepean Conservation Group; the Mornington Peninsula Shire Council; and peak bodies such as the Victorian National Parks Association and the National Trust.

I would like to acknowledge their considerable efforts and also to thank the Point Nepean Advisory Committee, comprising community and government representatives, for its work in providing advice about Point Nepean issues on behalf of the Victorian community.

Protecting an outstanding heritage

The existing Point Nepean National Park includes historic defence installations at Fort Nepean, the panoramic coastal views of the Rip, Port Phillip Bay and Bass Coast, and significant nature conservation and indigenous cultural heritage values.

The inclusion of the former quarantine station in the national park adds impressive cultural and natural heritage values to the park. The quarantine station is listed as both a heritage place and an archaeological

place on the Victorian Heritage Register maintained under the Heritage Act 1995. The heritage values of the site are separately listed on the National Heritage List established under the commonwealth Environment Protection and Biodiversity Conservation Act 1999.

Many of the site's numerous heritage buildings relate to its use for quarantine purposes from the 1850s to the early 1950s. More recently, it was used by the Department of Defence. Of course, prior to the comparatively recent European settlers, the Port Phillip district was occupied for at least 40 000 years by the Boonwurrung/Bunurong people, their ancestors and other indigenous people. Thus the environs of the quarantine station, as well as the rest of Point Nepean, are richly steeped in both indigenous and recent cultural heritage.

The quarantine station was abruptly established in November 1852 when the passenger ship *Ticonderoga* (sensationalised in the press as the 'plague ship') anchored alongside, in what was later named Ticonderoga Bay in memory of the more than 100 passengers who lost their lives to typhoid and scarlet fever, some of whom were buried nearby in the hastily established cemetery. Another cemetery was established in 1854 for the burial, until 1926, of early settlers, victims of shipwrecks, quarantine staff, military personnel and the local community.

Many of the quarantine station's buildings date from the 1860s. They include gracious hospitals, accommodation buildings and kitchens for the various classes of arrivals, who were first processed in the disinfecting building and the bath and washhouse. Many of the earliest buildings, such as Shepherd's Hut from 1845, were constructed from limestone quarried at the site.

From the 1950s to the early 1980s the site was occupied by the Department of Defence, first as the army officer cadet school, and from 1978 as the School of Army Health. In 1999 approximately 400 refugees from Kosovo were accommodated at the site. These more recent uses have added additional layers of heritage value to the site.

Investing in the future

Together with the Victorian government's \$10 million investment in 2009–10 towards the upgrading of infrastructure at the quarantine station and \$4 million over four years for management and operation of the expanded park, the commonwealth government is immediately contributing approximately \$15 million towards the remediation and rehabilitation of the site.

The shared priority objective of both governments is to achieve safe public access to the quarantine station, as part of an integrated national park at Point Nepean.

The site presents several novel challenges arising from its past use. These include the need to remediate the consequences of past military uses, including removing unexploded ordnance. In addition, the site's long isolation requires the upgrade of basic infrastructure including electricity, gas, water and sewerage, as well as the establishment of visitor services so that all Victorians, Australians and our international visitors can access and experience this unique part of our heritage. Over time it is intended that the site will become the primary visitor activity centre for the national park.

Recognising the work of the Point Nepean Community Trust

Before turning to consider the principal features of the bill, I wish to acknowledge the important role undertaken by the Point Nepean Community Trust which, from June 2004 until June 2009, has been the commonwealth government's interim manager of the quarantine station.

The work of the trust included its extensive investigation and remediation of environmental contaminants at the site (including the removal of asbestos from buildings), its refurbishment of key buildings, its preparation of the cultural heritage management plan under the Aboriginal Heritage Act 2006, as well as the development with Parks Victoria of the Point Nepean National Park and Point Nepean quarantine station management plan. This plan is the key guide for future decision making about integrating the natural, indigenous and historic heritage and other values of the site with opportunities for recreation, education and tourism.

I wish to affirm that securing the safety of the quarantine station for public access is the paramount objective of both the Victorian and commonwealth governments, the achievement of which will build upon the foundational work of the trust.

Details of the bill

I now turn to the bill. The bill will add the quarantine station and the abutting intertidal zone to Point Nepean National Park. In addition:

the bill will enable the minister responsible for the National Parks Act 1975, after consultation with the National Parks Advisory Council, to grant a lease at the quarantine station for a period of up to 21 years,

and up to 50 years in specified circumstances, for purposes which are not detrimental to the protection of the national park, including its historic, indigenous, cultural, natural and landscape features;

the bill will also enable the minister, in association with granting a lease, to grant a licence for up to 21 years to occupy or use part of the quarantine station area for the same or related purposes of the lease; and

it will enable the minister to grant a licence or a permit for up to seven years to occupy or use any part of the quarantine station area, consistent with the objects of the National Parks Act 1975.

The provision for longer lease terms at the quarantine station than what is currently provided for in the National Parks Act 1975 is consistent with the government's policy that longer term leases in areas under that act should be subject to site-specific legislation.

It is the view of the government that the potential to offer longer lease terms at this site is required to attract the community and private investment needed to adaptively reuse and thereby preserve the site's heritage buildings and, as appropriate, new developments. For example, longer term leases may be appropriate for education and training facilities and accommodation and other tourism-related ventures which require the economic certainty of a longer lease term in order to be financially viable.

While the government envisages a maximum lease term of 21 years will be suitable for most tenancies at the quarantine station, in exceptional circumstances, and again after consultation with the National Parks Advisory Council, the minister may grant a lease for a period up to 50 years where the minister is satisfied that:

the purposes of the lease are not detrimental to the protection of the national park, including its historic, indigenous, cultural, natural or landscape features; and

the proposed use, development, improvements or works are of a substantial nature, of a value which justifies a longer term, and the granting of a longer term lease is in the public interest.

The bill does not include two small parcels totalling about 1.3 hectares at the far eastern end of the quarantine station in the national park at this time. These areas of crown land may be used for the purpose of a respite centre to provide short-term holiday

accommodation for the carers of people with a disability. The agreement between the state and the commonwealth for the transfer of the quarantine station provides that, if a respite centre has not been established by 30 June 2013, or it ceases to operate, legislation will be amended to include the area within the national park.

Conclusion

With the goal in mind of protecting Point Nepean's outstanding heritage for this and future generations of Victorians, Australians and our international visitors, I commend the bill to the house.

Debate adjourned on motion of Mr DIXON (Nepean).

Debate adjourned until Wednesday, 24 June.

GAMBLING REGULATION AMENDMENT BILL

Statement of compatibility

Mr ROBINSON (Minister for Gaming) 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 Gambling Regulation Amendment Bill 2009.

In my opinion, the Gambling Regulation Amendment Bill 2009 ('the bill'), 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 the bill

The objectives of the bill are:

1. to amend new sections 3.4A.18 and 3.4A.19 to be inserted into the Gambling Regulation Act 2003 by the Gambling Regulation Amendment (Licensing) Bill 2009 ('licensing bill'). These new sections insert a requirement that venue operators who transfer gaming machine entitlements within a specified period must pay to the state 50 per cent of any profit made. The bill amends these sections to increase the amount of prescribed profit payable by a venue operator from 50 per cent to 75 per cent.
2. to amend the Gambling Regulation Act 2003 ('the act') to provide a process whereby the current gaming operator's licence, held by the Tatts Group, which is scheduled to expire on 14 April 2012, can be extended to 15 August 2012 (to align its expiry with the expiry date of the gaming licence under the act); and

3. to amend the definition of 'participants' in section 6.1.2 of the act, and to amend section 6.5.1 which provides for the minister to declare a company to be a participant, in order to ensure that a gaming operator that extends their gaming operator's licence under the process referred to above will not be a 'participant' in Club Keno games for the period of the licence extension.

Human rights issues

1. *Human rights protected by the charter that are relevant to the bill.*

The provisions in this bill do not raise any human rights issues.

The obligation to pay the prescribed profit under the licensing bill only falls upon persons who hold a venue operator's licence. The licensing bill provides that a venue operator cannot be a natural person.

The bill allows the minister to invite the current gaming operator to apply for a licence extension to 15 August 2012. This is a once only extension process that applies to the Tatts Group, which is a corporate entity.

2. *Consideration of reasonable limitations — section 7(2)*

As the bill does not raise any human rights issues, it does not limit any human right and therefore it is not necessary to consider section 7(2) of the charter.

Conclusion

I consider that the bill is compatible with the charter of human rights because it does not raise a human rights issue.

Hon. Tony Robinson, MP
Minister for Gaming

Second reading

Mr ROBINSON (Minister for Gaming) — I move:

That this bill be now read a second time.

In 2004 the government took the decision to formally review Victoria's existing gambling licences to deliver the best outcomes for future generations of Victorians, through the gambling licensing arrangements that will apply beyond 2012.

This government has conducted the most significant review in Victoria's history of the regulatory structure and associated arrangements for the state's major gambling licences. The government concluded the lotteries licensing phase of the gambling licences review in 2007, with the granting of two separate lotteries licences, ending the previous 54-year monopoly.

On 10 April 2008, the government announced the next phase of the review; namely, the new gambling industry structural arrangements that will apply beyond

2012 for wagering and betting, keno and gaming machines.

Honourable members will be aware that the Gambling Regulation Amendment (Licensing) Bill was recently debated by Parliament. That bill implements the regulatory arrangements for the post-2012 gaming machine industry, as well as introducing further refinements to the wagering and betting industry structure and keno licence. Under the new arrangements, Victoria will transition from the current duopoly gaming operator system to a venue operator structure. Hotels and clubs interested in operating a gaming venue under the new structure will need to bid for 10-year gaming machine entitlements in a competitive bidding process in 2010.

The licensing bill includes provisions to deter speculative trading in gaming machine entitlements. It provides that, from the period following the initial allocation of entitlements in 2010 until six months after the commencement of the new industry structure, a venue operator who transfers their gaming machine entitlements for a profit, will be required to pay to the state 50 per cent of the profit made on the transfer. Entitlement holders would be able to apply for an exemption from this tax on profit if entitlements were transferred because of decisions made by a government body to refuse certain types of applications for premises approval, a planning permit or liquor licence.

The bill before the house amends this requirement to increase the amount of profit to be paid from 50 per cent to 75 per cent of the profit made. This change responds to community concerns about the fair allocation of gaming machine entitlements by strengthening the disincentive on speculators from buying up entitlements with a view to selling them for a quick profit. These measures will further ensure that the allocation of gaming machine entitlements will be an open and competitive process.

This bill also includes a mechanism to align the end dates of the two current gaming operator licences of the Tatts Group and Tabcorp. Currently, those two gaming operators' licences are due to expire on 14 April 2012 and on 15 August 2012 respectively. The bill will amend the Gambling Regulation Act 2003 to enable the minister to extend the term of the Tatts Group's gaming operator's licence, if Tatts wishes to do so. The bill allows the Treasurer to determine the premium payment for the licence extension. Any extension will only be for a period up to 15 August 2012 to allow the expiry date of that licence to be brought into line with the expiry date of the Tabcorp gaming licence. The ability to extend the Tatts licence has been included in

the bill to facilitate the even transition of gaming machine and keno arrangements in 2012.

Finally, the bill amends the definition of ‘participants’ in section 6.1.2 of the act to clarify that if Tattersall’s gaming operator’s licence is extended under the process referred to above, Tatts will not be a ‘participant’ in Club Keno games for the period of the licence extension.

I commend the bill to the house.

Debate adjourned on motion of Mr O’BRIEN (Malvern).

Debate adjourned until Wednesday, 24 June.

Sitting suspended 1.03 p.m. until 2.04 p.m.

Business interrupted pursuant to standing orders.

ABSENCE OF MINISTERS

The SPEAKER — Order! I advise the house that due to the funeral of Jack Ross in Bendigo today, the Premier is absent from question time, as is the Minister for Regional and Rural Development, and the Deputy Leader of the Opposition. Any questions directed to the Premier will be answered by the Deputy Premier; questions to the Minister for Regional and Rural Development will be answered by the Minister for Agriculture, and questions to the Minister for Skills and Workforce Participation will be answered by the Minister for Education.

QUESTIONS WITHOUT NOTICE

Attorney-General: justices of the peace

Mr BAILLIEU (Leader of the Opposition) — My question is to the Attorney-General. I refer to a question in this house on 19 August 2008 which asked why the Attorney-General had made Mr Suleyman a justice of the peace when he was well-known as ‘a standover man and part of the underbelly of Brimbank’. I ask: is it not a fact that the Attorney-General ignored this warning and now, despite the Ombudsman’s report, the Attorney-General has still not launched an investigation into how it was possible that the Department of Justice appointed Mr Suleyman and other Labor mates with convictions as justices of the peace, in breach of the code of conduct for honorary justices?

Mr HULLS (Attorney-General) — I thank the Leader of the Opposition for his question. For his

information I will outline to him and to the house the process for the appointment of justices of the peace (JPs), because I think that is absolutely crucial.

In relation to the appointment of JPs, as he would know and as many in this house would know, an application to become a JP is sent to the Department of Justice, which makes a general assessment in relation to the application. Often, I might say, a copy of that application is sent to me accompanied by a letter from an MP endorsing a prospective appointee. MPs from both sides of this house have written to me in the past. I have no idea whether in endorsing particular applicants MPs have made inquiries in relation to those particular applicants. I will say that all applicants receive the standard response and all MPs who write to me about these matters receive a standard response, which indicates that an independent assessment panel makes the ultimate recommendation.

After receiving the application the department then sends the application to Victoria Police, which conducts a criminal record check and also meets with the applicant for an interview. The department then convenes an assessment panel to assess the application and assess the information that is provided by the police. In making a decision — —

Honourable members interjecting.

The SPEAKER — Order! I ask for the interjections to cease.

Mr HULLS — I thought this would have been known to most members of the house. In making a decision to recommend an individual the panel takes into account a range of matters, including the applicant’s character, the availability of JPs in a particular area, the applicant’s standing within the community and the like. After that assessment is made I, as Attorney-General, receive from the panel a list of recommended applicants for appointment as JPs. I think from memory I receive in the order of 100-plus names a year. I then recommend these appointments to the Governor in Council, who makes the JP appointment.

In relation to the appointment of Mr Suleyman, the particular individual referred to by the Leader of the Opposition, I am advised that after the panel took into account all of Mr Suleyman’s antecedents, including his criminal record, he, along with 40 other applicants, was recommended to me to be appointed as a JP. The Governor in Council then appointed him as a JP in December of 2007.

The information that goes out to prospective JP applicants makes it quite clear that a criminal police

record does not bar a person from being appointed as a JP. Nonetheless, in light of the Ombudsman's report and its references to Mr Suleyman, as I indicated, I asked for an investigation to look at his status as a JP. I have made that quite public.

I also made public the fact that Mr Suleyman voluntarily stood aside as a JP pending the outcome of the independent review. That review is being conducted by the former State Services Authority chairman, Mr Peter Harmsworth, and the former Victorian government solicitor, Mr Ron Beazley. They are inquiring into whether or not Mr Suleyman is a fit and proper person to hold the office of JP.

They will of course consider the Ombudsman's findings as they relate to Mr Suleyman. They will determine whether in all the circumstances I should recommend to the Governor in Council that Mr Suleyman's appointment as a justice of the peace be revoked. They will also advise on whether the appointment processes at the time of his appointment were appropriate, and they will provide any recommendations to improve the existing departmental appointment process for the office of justice of the peace.

In conclusion can I say, given the current investigation that is under way, I do not think it is appropriate for me to comment any further on this matter.

Violence: international students

Mr LIM (Clayton) — My question is to the Deputy Premier. I refer to the government's commitment to making Victoria the best place to live, work and raise a family, and I ask: could the Deputy Premier inform the house of actions the Brumby government is taking to address safety concerns of international students in Melbourne?

Mr HULLS (Attorney-General) — I thank the honourable member for his question and for his ongoing support for the safety of members of his electorate and the broader Victorian community. As members of this house would know, Victoria is a community that values its multicultural make-up, with people of different races, following different faiths and coming from different cultures. The Brumby government certainly believes that all Victorians are entitled to feel safe in their community.

Today the Premier and the Minister for Police and Emergency Services, along with the Chief Commissioner of Police, Simon Overland, announced new measures to improve safety at railway stations with

a record of violent incidents. These new initiatives will include additional patrols by uniformed police, transit members and the dog squad as well as traffic operations and booze buses targeting trouble spots in and around Sunshine, St Albans, Thomastown, Clayton and Dandenong. Today's announcement will increase safety for all commuters using the rail network, particularly those commuters travelling alone or at night. This is on top of the 350 extra police being delivered in this term. It will certainly go a long way to ensuring Victoria remains the safest state in Australia.

The issue of violence against international students has received much media attention in recent weeks, but it is certainly the case that Victoria is one of the safest places in the world for international students. There have been some regrettable incidents, it is true, but we do need to call for calm, and we want to do everything we can to discourage people from taking the law into their own hands. No person should be attacked, let alone attacked on the basis of gender, on the basis of race or on the basis of religion, age, disability or sexual orientation. That is why the government is looking at a range of reforms to help protect any member of our community from hate-based crime.

One of those reforms is to amend section 5 of the Sentencing Act to require judges to take into account hatred for or prejudice against a particular group of people as an aggravating factor in sentencing. I have asked the Sentencing Advisory Council for advice on this matter, and legislation will certainly come before this house well before the end of this year. Our laws will ensure that any person found guilty of a hate-based attack will certainly feel the full force of the law.

I am pleased that representatives from many communities that make up our great and diverse state have already welcomed the government's announcement. I think it is vital that the international community see a bipartisan approach from the Victorian Parliament on this issue, and I urge all members of this place to get behind the government's move to stamp out hate-based crime. The Victorian community certainly knows where the government stands on this issue, and it knows that we will not tolerate violence in this state and that we will take decisive action wherever and whenever we can to protect all members of our community.

Attorney-General: justices of the peace

Mr RYAN (Leader of The Nationals) — My question is to the Attorney-General. I refer to the conviction in 2007 of Cr David Saunderson, a former electorate officer of the member for Lara, for failing to

disclose a \$12 000 gift from a local property developer and to a further charge this year under the Local Government Act for failing to disclose a conflict of interest. I also refer to the fact that Cr Saunderson is a justice of the peace, and I ask: given that Cr Saunderson's conduct is clearly in breach of the code of conduct for honorary justices, why has the Attorney-General not removed Cr Saunderson from his position as a JP?

Mr HULLS (Attorney-General) — My understanding is that there are currently inquiries and investigations under way — —

Honourable members interjecting.

Mr HULLS — There are apparently investigations under way in relation to Mr Saunderson. It is also my understanding that the department was advised last week that, pending the outcome of those investigations, Mr Saunderson has stood aside from his role as a JP.

Mr Eren interjected.

Honourable members interjecting.

The SPEAKER — Order! The member for Lara will not interject in that manner.

Mr Eren interjected.

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

Multicultural affairs: translating and interpreting services

Mr NARDELLA (Melton) — My question is to the Minister Assisting the Premier on Multicultural Affairs. I refer to the government's commitment to making Victoria the best place to live, work and raise a family, and I ask: can the minister outline to the house the importance of the Brumby government's support of interpreting and translating services and the care required of interpreters and translators when informing migrant communities?

Mr MERLINO (Minister Assisting the Premier on Multicultural Affairs) — I thank the member for Melton for his question. Interpreting and translating are essential services for our communities. They are a link that keep people with few or no English language skills connected to our community. They are vital for both recently arrived migrants and refugees settling into their new life in Australia and for more established communities with older demographics such as our Chinese, Italian, Greek and Polish communities.

The Brumby government invests millions of dollars annually across a variety of departments, while our language services strategy has a strong focus on increasing the quality of our skilled interpreters. We want to enhance the industry as a whole, and last year we announced \$2 million for this work. This includes investigating the more effective use of technology to assist people in remote locations or to source interpreters in low-demand languages. We make this investment because without interpreting and translating services many thousands of people would be left isolated in our community, unable to adequately access medical services and legal assistance, make informed decisions or be fully involved in their community.

For these reasons interpreting and translating require the utmost care. Deliberate misuse of translation is an affront to all that we hold dear in multicultural Victoria. Every person deserves to be treated with respect. Every person has a right to be informed and engaged. Unfortunately interpreting and translating are at times abused. I refer, for example, to the 15 May edition of the Chinese language newspaper *Asian Multimedia*, which refers to the Minister for Planning and a former minister for police and says, 'Both of them have been sentenced to be guilty of criminal matters'. These statements are false, misleading and antidemocratic. Of all people, the shadow Attorney-General would know that. His article is an absolute disgrace.

Honourable members interjecting.

The SPEAKER — Order! I ask the minister to confine his comments to government business.

Mr MERLINO — In Victoria we come from over 200 countries, we speak more than 230 languages and dialects and we follow more than 130 faiths. We are a successful, diverse society, but our harmony did not come about by accident. It has to be nurtured and protected, and we do that, for example, through our Racial and Religious Tolerance Act and our Multicultural Victoria Act. It has to be celebrated, and we do this through our \$4.6 million Community Grants program and our calendar of cultural festivals and events.

But we always need to be vigilant. The Premier last week announced changes to the Sentencing Act as well as the walk for harmony through Melbourne on 12 July. Last night at the ceremony for the 61st anniversary of Israel's independence the Premier and the Leader of the Opposition quite rightly celebrated our multicultural state. The Leader of the Opposition committed to supporting the Premier at the Harmony Walk. This is welcome. But one has to ask, what game the member

for Box Hill is playing. Clearly Victoria's ethnic communities cannot trust — —

Honourable members interjecting.

The SPEAKER — Order! The minister will conclude his answer.

Mr MERLINO — Thank you, Speaker — —

Honourable members interjecting.

The SPEAKER — Order! I warn all members. The minister will conclude his answer, and it will be done in silence.

Mr MERLINO — Translating interpreting should be used to provide our multicultural communities with information and assistance that will help. At all times it should be not used to deliberately mislead. On this side of the house we do not say one thing to one audience and something completely different to another. This is an outrage and the member should — —

The SPEAKER — Order! The minister has concluded his answer.

Ms Marshall interjected.

The SPEAKER — Order! I warn the member for Forest Hill

Office of Police Integrity: telephone recordings

Mr BAILLIEU (Leader of the Opposition) — My question is to the Attorney-General. When did the Attorney-General first become aware that telephone conversations between government members of Parliament and Victoria Police, as well as government staff and Victoria Police, had been secretly recorded by the Office of Police Integrity (OPI)?

Mr HULLS (Attorney-General) — I thank the member for his question. What he seems to be referring to is evidence that has been given as part of proceedings against Noel Ashby, and I do not think it is appropriate to provide a running commentary on that matter. As the member would know, Mr Ashby is facing a number of charges including, I think, some 13 charges of perjury. I do not think it is appropriate in this place — —

Dr Napthine — On a point of order, Speaker, the minister is debating the issue. There was no reference in the question to any evidence given to any hearing or anything else. It was a very simple question about when the Attorney-General first became aware of certain secret recordings of phone conversations between government members and the police, and between

government staff and the police. There was no reference whatsoever to any court case or anything that the minister is now alluding to. I ask you, Speaker, to bring him back to answering the question was asked.

The SPEAKER — Order! I uphold the point of order.

Mr HULLS — So Speaker — —

Mr Wells interjected.

The SPEAKER — Order! I do not need the congratulations of the member for Scoresby.

Dr Napthine interjected.

The SPEAKER — Order! The member for South-West Coast is already on a warning.

Mr HULLS — I do not want to comment on matters that are currently before the court, but in relation to — —

Mr Baillieu — On a point of order, Speaker, the Attorney-General is seeking to avoid answering this question. This was a question addressed yesterday to the Premier, and he chose to answer it. Why can't the Attorney-General?

The SPEAKER — Order! There is no point of order. The Attorney-General had uttered only five words.

Mr HULLS — I am happy to outline to the house in general terms the telephone interception laws as they relate to the OPI. As was pointed out in this place yesterday, the telecommunications interception scheme is governed by federal legislation, the federal Telecommunications (Interception and Access) Act 1979, and complementary state legislation, the Telecommunication (Interception) (State Provisions) Act 1988. The state act provides that when the OPI is granted a warrant — —

Mr Baillieu — On the point of order, Speaker, I renew my point of order that the Attorney-General is seeking to avoid answering today a question the Premier answered yesterday — —

The SPEAKER — Order! There is no point of order.

Mr HULLS — The state act provides that when the OPI is granted a warrant to intercept telecommunications, it must provide a copy of that warrant to the Minister for Police and Emergency Services, who must then forward a copy of that warrant

to the federal Attorney-General. Twenty-eight days after a warrant has expired, the director, police integrity, must — —

Mr McIntosh — On a point of order, Speaker, on the question of relevance, it really begs the question: what has the Attorney-General got to hide? Why does he not just answer the question: when did he know?

The SPEAKER — Order! There is no point of order.

Mr HULLS — This is a very important point because it relates to the legal situation here in Victoria: 28 days after the expiry of a warrant the director, police integrity, must provide a copy of the expired warrant to me as Attorney-General. Except to fulfil their functions under the legislation, neither the police minister nor me, as Attorney-General, may disclose any information related to the warrants; to do so would breach the law.

Children: early childhood services

Mr PANDAZOPOULOS (Dandenong) — My question is to the Minister for Children and Early Childhood Development. I refer to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: will the minister outline for the house how the Brumby government is providing access to vital early years services for all Victorians with young families?

Ms MORAND (Minister for Children and Early Childhood Development) — I thank the member for Dandenong for his question. Victoria continues to experience a very significant baby boom. Recent Australian Bureau of Statistics data show that between 1999, when we came into government, and 2007 Victoria experienced a 19 per cent increase in the number of babies being born annually. Around 11 000 more babies are now being born annually than in 1999. It proves that Victorians really do agree with us when we say that Victoria is the best place to live, to work and to raise a family. It is interesting to compare that 19 per cent increase with the increase in New South Wales, for example, which over the same period experienced only a 3 per cent increase in the annual birth rate.

That is why we have subsequently increased our funding to maternal and child health services — great services that we provide in partnership with local government. We have increased the funding to maternal and child health services in Victoria by 145 per cent. Victoria's population continues to grow, and it continues to become more diverse through

migration. The data from censuses in 2001 and 2006 shows that the number of Victorians born overseas grew by 8 per cent. So now 1.2 million Victorians, or just over 20 per cent of the population, have been born overseas. That means that there are now around 1 million Victorians who speak a language other than English at home. The census data also shows that there is an increasing number of Victorians who do not speak English well or at all, and that is now nearly 4 per cent of the Victorian population.

That is why it is important that we ensure that access to services and access to information, such as early childhood information, is accessible to all Victorian families. That is why last month I announced a \$4 million boost to the Office for Children and Early Childhood Development interpreting services. We want to make sure that all families, whether they speak Chinese, Vietnamese, Arabic or the more recent languages such as Dari and Dinka, have access to the full range of early childhood services and the relevant information they need.

This new funding will almost treble the capability of our interpreting services. A large proportion of the interpreting services is provided through the maternal and child health service. This is really important, because families with young babies who go to visit the maternal and child health nurse can have an interpreter present during the conversation between them and the nurse so that vital information can be translated between those families and the nurse. This funding will treble the capability of the service to provide that important information — information on nutrition, wellbeing and development.

In addition, extra funding will be used to fund the Victorian Multicultural Commission to develop training and communication products to enhance cultural awareness amongst the professionals providing early years services, and also to develop and broadcast community service announcements for Arabic and Chinese community radio on positive early childhood themes including literacy and numeracy.

On this side of the house we understand that young families, regardless of what language they speak at home, need assistance and support in their children's early years, and we provide it. We provide useful information — unlike those on the other side, who provide pointless and misleading information to our diverse community.

Honourable members interjecting.

The SPEAKER — Order! The minister will conclude her answer.

Ms MORAND — We provide the services and support that Victorians need. We provide it, and we will continue to provide it.

Attorney-General: former assistant commissioner of police

Mr RYAN (Leader of The Nationals) — My question is to the Attorney-General. Will the Attorney-General confirm media reports that in September 2007 he attended a barbecue with former Assistant Commissioner Noel Ashby, and can he advise where that barbecue was held?

Mr HULLS (Attorney-General) — I thank the honourable member for his question. I also read some reports about a function that I attended — I think it was some time in 2006. When I went back to the office I checked the diary, and I did attend a function in October 2006. It was a function that my wife was invited to, and it was on the invitation of a woman by the name of Barbara Walsh, whom I know is well known to many members of this place, including the shadow Minister for Police and Emergency Services. There were a number of people at that function — 40 or 50 people. I cannot recall the number of people who were at the function, but that is my recollection of the function that was referred to.

Tourism: government initiatives

Ms BEATTIE (Yuroke) — My question is to the Minister for Tourism and Major Events. I refer to the government's efforts to encourage more visitors to Victoria, and I ask: can the minister inform the house of any recent evidence of the success of the government's tourism and events industry strategy?

Mr HOLDING (Minister for Tourism and Major Events) — I thank the member for Yuroke for her question, because of course as a member whose electorate covers Melbourne Airport she understands particularly the importance of attracting more visitors from interstate and from overseas to drive our tourism industry and to create jobs, economic development and economic activity through those tourism efforts. Like all members on this side of the house, she is as pleased as all of us are to see evidence and data which support the strategy that the government has put in place — the 10-year tourism and events industry strategy.

This morning I was very pleased to see the release of the international visitor survey data, which shows that

once again in terms of international visitor numbers, in terms of international visitor expenditure and in terms of expenditure in regional Victoria, Victoria continues to go from strength to strength and to outperform the national average and our interstate competitors.

I am very pleased to inform the house that the international visitor survey data shows that Victoria's international visitor numbers reached 1.5 million in the year ended March 2009. This is a great outcome. At the same time international visitor expenditure, which is the true indicator of the growth in activity that is being generated, has reached \$3.6 billion. This is a 13 per cent increase, which is a great outcome for Victoria.

It is also pleasing to see that our regional economies are getting a good share of this action, with a 7.3 per cent increase in international visitor expenditure in regional locations. This is great news, and particularly so because it is great news in the context of a very challenging global situation. What has happened with our interstate competitors? Victoria's international visitor numbers have grown by 0.7 per cent. In New South Wales they have declined by 3 per cent, and in Queensland the decline in international visitor numbers has been 6.5 per cent. While the rest of the country struggles with the global financial situation Victorian tourism goes from strength to strength, with international visitor numbers and visitor expenditure growing.

These things do not happen by chance; they happen because of the prudent, sensible and visionary strategy the state government has put in place to promote our major events industry, to promote tourism and to attract business events to our state. I was very pleased, for example, to be down at the Melbourne Convention and Exhibition Centre this morning to see that great facility, and we have been there quite a few times in the last few weeks.

This is an extraordinary facility; it is one that has all of Victoria's tourism industry excited. I am sure members opposite have been down to have a look. I am sure the Leader of the Opposition has been down to have a look at the convention centre. He says that the big V drives him, and I am waiting for the nod to confirm that he has been down to have a look at the convention centre. There is no nod. Perhaps he has not been down there! This is an extraordinary facility for all Victorians, and one that will continue to drive international visitor numbers in Victoria.

At the same time, our major events strategy goes from strength to strength. Last Wednesday we hosted the Rugby League State of Origin match at Etihad Stadium.

More than 50 000 people attended that event, and more than 30 per cent of them were from interstate — a great outcome. Tomorrow we have the official launch of Salvador Dali — Liquid Desire at the National Gallery of Victoria, as the next instalment of our winter masterpieces program; the A Day in Pompeii exhibition opens soon at the Melbourne Museum; next Wednesday Victoria will play host to the World Cup qualifier, the Socceros game against Japan, which will be another great major event; and in November we play host to golfer Tiger Woods at the Australian Masters. We are continuing to secure great major events.

Yesterday my attention was drawn to an article in the *Australian*, which reports that hoteliers in New South Wales wish their government had the same major events strategy that we have in Victoria:

Hoteliers say they have been losing market share for too long to Sydney's biggest rival, Melbourne, with its Australian Open, grand prix and Melbourne Cup, and other events in between.

It quotes the head of the Hilton group as saying:

'Every day that goes by is a day we miss an opportunity', Mr Spencer said. 'We should be hosting much more international conventions and sporting events that Melbourne is taking.'

Mr Ryan interjected.

Mr HOLDING — The Leader of The Nationals asks, 'Where did you get this strategy from?'. The article states:

John Hudson, managing director of listed hotel owner Thakral Holdings, said Melbourne has had an events calendar for the best part of 10 years.

I think we have been in government for the best part of 10 years. What a great strategy it has been; it has gone from strength to strength. It has seen our tourism industry continue to grow, creating jobs and economic activity which continue to strengthen the Victorian economy during these very challenging global financial times.

Attorney-General: former assistant commissioner of police

Mr BAILLIEU (Leader of the Opposition) — My question is to the Attorney-General. Will the Attorney-General advise the house whether he has at any time discussed the Office of Police Integrity's investigations or hearings with former assistant police commissioner Noel Ashby; and if so, when?

Ms Marshall interjected.

The SPEAKER — Order! The constant interjections from the member for Forest Hill are most unwelcome. I warn the member for Forest Hill.

Dr Napthine interjected.

The SPEAKER — Order! The member for South-West Coast is in no position to talk about how many times a member has been warned.

Mr HULLS (Attorney-General) — I thank the honourable member for his question. It is a pretty simple answer: no, I have not.

Buses: services

Mr HOWARD (Ballarat East) — My question is to the Minister for Public Transport. I refer to the government's commitment to making Victoria the best place to live, work and raise a family, and I ask: can the minister please explain to the house how the Brumby government is providing vital bus services to improve connections across the state?

Ms KOSKY (Minister for Public Transport) — I thank the member for Ballarat East for his question in relation to buses in this state. As everyone in this house would know, Melbourne's bus patronage is booming. It is at its highest level in almost 40 years. Some 100 million trips a year have been taken on our buses over the last 12 months. That is a 14 per cent increase in patronage over the last 12 months, which is a phenomenal result.

It has occurred because we have invested in our bus network right around the state. We have made a \$1 billion investment in bus services, and that has meant major improvements to our local bus routes, including to 150 additional local bus routes, with the vast majority running until 9.00 p.m., seven days a week. Services now run throughout the day, every day of the week and for longer periods. That is an extra 10 000 services each week in the Melbourne bus network which we have funded.

There has been a fantastic result; people are voting with their feet. There has never been a better time to hop on a bus, and I can highly recommend that members do so. The newest route, from Mordialloc to Altona, is now the most popular bus route in Melbourne, with hundreds of people using it every day.

In the regions we have added over 4000 extra services — so it is not just about metropolitan Melbourne — which has delivered an increase in patronage. In Ballarat we have had a 23 per cent increase in bus services, with the addition of an extra

770 services every week; in Bendigo we have had a 30 per cent increase in services, which amounts to an extra 690 services every week; and in Ararat we have seen a 300 per cent increase in services, adding 27 extra services over six days of the week. Patronage in Ararat has increased by 370 per cent, which is an extraordinary number. In Sale we have introduced two new bus routes, and we have had a 300 per cent increase in services.

We have invested right across the state. We are also seeing an increase in services and an increase in bus patronage right across the state. This has created over 400 full-time jobs right around Victoria in the bus industry. It has been a great boost for the bus industry but more importantly it has provided those connections for everyone who wants to use a bus and everyone who is now using a bus — for community services, for employment opportunities, to visit friends and family, to go shopping and to make connections with trams and trains as well.

We are getting on with the job of delivering public transport. Buses are a really important component of that delivery, and it would be terrific if we got support from the other side for the bus services. I know members opposite welcome them in their own communities; it would be great if they also did so in the house.

FOOD AMENDMENT (REGULATION REFORM) 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 (the charter), I make this statement of compatibility with respect to the Food Amendment (Regulation Reform) Bill 2009.

In my opinion, the Food Amendment (Regulation Reform) Bill 2009, as introduced into 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 Food Act 1984 (the act) regulates the sale of food in Victoria to ensure that food is safe and is suitable for human consumption. Food poisoning can cause severe illness and in susceptible people, even death. Young children, pregnant women, the elderly and people whose immune systems are compromised due to other illnesses are generally more at risk.

The purpose of the bill is to amend the act to:

strengthen the governance of food safety regulation and improve the administration of the act;

simplify regulatory requirements, whilst continuing to protect public health. This includes establishing a single registration or notification system for temporary and mobile food premises which would apply statewide;

better target the level of regulation to the degree of risk associated with particular food premises. A new food premises classification system can be established under declarations to be made under the act. The declaration may specify which additional regulatory requirements listed in the act will apply to a type of premises, depending upon the nature of the food-handling activities.

Human rights issues

The following analysis contains a discussion of each of the charter rights raised by the bill. It should be noted that the act regulates food businesses. Some businesses are owned by bodies corporate and others by natural persons. Only natural persons have human rights under the charter. Therefore, the provisions outlined in this statement as engaging rights under the charter will only do so to the extent that they have an impact on natural persons.

Human rights protected by the charter that are relevant to the bill

1. Section 13: privacy and reputation

Section 13(a) 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.

The right to privacy concerns a person's 'private sphere'. An interference with privacy will not limit the right if the interference is neither arbitrary nor unlawful. Arbitrariness will not arise if the restrictions on privacy accord with the objectives of the charter and are reasonable in the circumstances. An interference will not be unlawful if the law in question is precise and is applied on a case-by-case basis.

The right to privacy is engaged by a number of provisions of the bill. Each of these is discussed separately.

(a) Disclosure of information about food businesses

Clause 28 amends section 54 of the act. Section 54 restricts when an authorised officer may disclose information or a document obtained in connection with the administration of the act. Clause 28 alters the circumstances in which a disclosure is permitted, such as by enabling disclosure in the following circumstances:

in connection with the administration of the act or another Victorian act that regulates the food premises or activities at the food premises to which the disclosure relates (including the Seafood Safety Act 2003, the Meat Industry Act 1993, the Dairy Act 2000, or the Health

Services Act 1988 to the extent that it applies to hospitals); or

for the administration of the Aged Care Act 1997 (commonwealth), or an act equivalent to the Food Act in another state or territory; and

to prevent or lessen a serious threat to public health, or where the information is already publicly known.

For instance, the results of a council inspection of a kitchen at a nursing home will be relevant information for the Aged Care Standards and Assessment Agency in administering the Aged Care Act 1997. This information may assist in enabling the nature of any risks faced by nursing home residents to be identified and appropriate steps taken by the relevant authority to address them.

Generally, the information that may be disclosed under amended section 54 will be about the food-handling activities of the food business (such as the cleanliness of a kitchen). However, to the extent that the information may relate to an individual (such as the name of the person in charge of a kitchen at a nursing home), the right to privacy is engaged.

The right to privacy is not limited by the amendments made by clause 28. Any interference is not unlawful, as the provision specifies in detail when any interference is permitted. There is no arbitrary interference as the circumstances where information can be disclosed are reasonable in the particular circumstances. For instance, the main purposes of this change are to enable the disclosure of information, where relevant, to protect the right to life (by promoting the detection and reduction of the incidence of food-borne illness that can cause death), or to ensure that other laws designed to protect members of the public, where food safety is relevant, can be properly administered.

(b) Registration applications and notification of operations

Clause 16 of the bill inserts section 36 into the act. That section provides that the Secretary of the Department of Human Services (the secretary) may, by notice in the *Government Gazette*, declare the information and documents that are required to be given to the registration authority (typically a council) by the proprietor of a food premises when applying for registration of the premises, or if registration is not required, when notifying the registration authority about the operations of the food premises.

Most of the information that may be required will be about the food business. However, to the extent that the information may relate to an individual, such as the name of the proprietor, where the owner of the business is a natural person, the right to privacy is engaged.

Section 36 provides that the information and documents that may be required under this provision must be relevant to the registration authority assessing or making a decision under the act regarding:

the registration, renewal or transfer application or the notification;

the classification of the premises, which will assist the proprietor to identify the kind of regulatory requirements under the act that apply to the premises; or

whether the premises must be registered or notified.

In addition, under new section 43I of the act, which is to be inserted by part 4 of the bill, when a statement of trade is lodged about the operations of a temporary or mobile food premises, such as a food van or market stall, this must include the name of the proprietor. In all of these cases, the information required is relevant to the decision being made under the act. Where there is uncertainty about whether or not premises need to be registered, the council must know who it should be dealing with to resolve this question, given that most of the obligations under the act relate to the proprietor of the business.

To the extent that this will be information about a natural person, such as his or her name, the right to privacy is engaged, but not limited by this amendment. This is because any interference is not arbitrary — it is reasonable as it will only occur in the limited circumstances set out in the provision, and the impact on privacy will be no more than is needed to enable the registration or notification to be assessed, to ensure that the objectives of the act are met. The purpose of the requirement to register or notify under part 6 of the act is to protect public health by ensuring that a regulator is aware of, and can enforce the law in relation to, food premises. Any interference is provided for in law as it will only occur under the circumstances outlined in the provisions.

(c) Statewide registration of temporary and mobile food premises

The right to privacy will be engaged where there is sharing of identifying information about an individual between councils. For instance, this could be the name of the person cooking food in a food van or the name of the proprietor of a food premises.

Part 4 establishes a system for the statewide registration or notification of temporary food premises (such as stalls at markets), mobile vehicles (such as food vans) and food vending machines. One registration or notification can apply throughout the state and the proprietor of the food premises will no longer be required to apply for separate registration in each council. The council in which the business is based will register the premises. Generally, a proprietor will need to lodge a 'statement of trade' indicating where and when they will be operating.

Pending the establishment of this statewide system in part 4, the bill contains an interim measure to allow a council to choose to recognise the registration of a temporary or mobile premises granted by another council (new section 35B in clause 16). The registration will apply automatically in the district of the 'recognising council'. This process will be replaced by the mandatory statewide system when part 4 comes into operation.

Under both systems, all councils in which the temporary or mobile premises may trade may need to work together to monitor compliance with the act, as compliance in all of these districts will be relevant to the registration by the registering council. Information about the food premises may be shared between the relevant councils, for the purposes of administering the act. This sharing of relevant information between councils will enable the responsibilities under the act to be performed by the most appropriate council (e.g. where the vehicle or market stall may be trading on any given day).

Section 54 allows information to be disclosed in connection with the administration of the act. This will continue under

the bill. In addition, the Information Privacy Act 2000 will also apply to regulate the sharing of information.

The right to privacy is not limited by any such information sharing. Any interference is not arbitrary because the provisions accord with the objectives of the charter and are reasonable in the circumstances. A statewide system requires statewide administration and enforcement. Given the devolved and dispersed nature of administration of the act, with each council responsible for their own municipal district, this can only be achieved by all relevant councils being involved. For instance, each council in whose district a food van trades needs to know the name of the proprietor, as this is the person who is ultimately responsible for the food-handling practices in the van.

Any interference is also provided for in law, as the way in which the single registration and notification system will work is outlined fully in part 4 of the bill. The way that mutual recognition will work is outlined in part 2. The authority to share information will be derived from section 54 of the act and the Information Privacy Act 2000, when construed in light of the provisions in parts 2 and 4.

(d) Public access to information about food businesses

Section 43 of the act currently requires each council to keep a register book in the prescribed form. This book must contain the prescribed particulars, and information in the book about a particular food premises must be made available free of charge to anyone who requests it. Clause 26 inserts a new section 43 into the act that restates these requirements, and requires councils to maintain these records, but will no longer require it to be kept in a separate book. This change reflects the way in which councils now record basic information about food businesses.

The particulars prescribed by regulations that must be kept include the name of the proprietor and the address of the premises. Section 17 of the act already requires the proprietor's name to be prominently displayed at the food premises.

The purpose of maintaining these records under new section 43 is to ensure that members of the public may ascertain whether a particular business is permitted to operate lawfully under the act, which may inform their decision as to whether to purchase food from that business. The consumer must be able to specify the premises about which they are seeking information.

Part 3 of the act enables orders to be made to require food premises to be put into a clean and sanitary condition or that food sold must be made safe. Clause 26 also provides that this register must include details of any order in force under part 3 of the act that includes a direction that the premises or machinery must not be used for the sale or preparation of food until the deficiencies identified have been remedied. When rectified, the business can resume operations. Clause 26 allows the council to inform a person that a particular premises is subject to an order with such a direction, where information about that premises is sought by the person.

Similarly, part 3 permits such a temporary closure order to be affixed to a conspicuous part of the premises or machine so that it can be read by a member of the public from outside the premises, whilst the order is in force. The relevant authority

may also publish such an order, for instance in a local newspaper.

These provisions will enable the local community to be made aware that the business should not be selling food at that time. This will be particularly significant if a business continues to operate despite such an order being in force.

To the extent that the right to privacy is engaged, it is not limited by the amendments. Any interference is reasonable in the circumstances as it is designed to enable a member of the public to ascertain whether a food premises is permitted under the act to sell food. Any interference is provided for in law, as the precise circumstances in which the information is to be available are set out in the act and regulations.

(e) New food premises classification system

Clause 13 substitutes a new part 3B into the act. This will enable the establishment of a new food premises classification system under a declaration to be made under the new section 19C. This will ensure that an additional requirement, such as the obligation to have a food safety program or food safety supervisor, will only apply to a class of food business where this is appropriate to ensure the safety of food handled at that particular kind of food premises. The level of regulation is to be linked to food safety risk.

Clause 13 makes various amendments to the act to enable this new system to come into effect. For instance, new sections 19C and 19H address when and how compliance with food safety programs is to be assessed or audited as part of the revised registration process.

Related changes are made, where necessary, by clause 20 regarding registration of food premises. For instance, under the new section 39 inserted by this clause, councils will have greater flexibility regarding the time of year in which they must conduct an annual inspection before considering renewal of registration applications of food premises. Currently the inspection must be carried out 'before' the renewal is granted. The bill alters this by enabling inspections to be conducted at any time in the previous 12 months, so that councils can spread their workload throughout the year. This annual inspection process will be especially relevant in practice to those premises that do not have a food safety program audited or assessed under part 3B. It will ensure that there continues to be an independent check of their food-handling activities.

All of these changes apply to registered premises of a food business under the act and are for the purpose of ensuring that the council can determine whether it is appropriate to grant or renew registration of a food business.

To the extent that any of the changes in the bill relate to the frequency of council assessments or inspections of compliance with food safety requirements and programs, or frequency of audits of food safety programs and requirements, the right to privacy may be engaged. This is the case as these activities are performed at private premises that are registered under the act as food premises.

Any such interference is not arbitrary. The provisions are in accordance with the aims of the charter, and are reasonable in the particular circumstances. There is a rational basis for the requirements. The provisions retain the essence of the current requirement of the act to assess compliance as a prerequisite

for registration, but in a more flexible form than is currently the case.

The provisions are intended to ensure that food sold to the public is safe, and to protect public health. They are limited to the assessment or audit of registered premises. Councils must be able to determine whether that registration should be renewed, taking into account whether or not a proprietor has complied with the act. The purpose of the registration system is to ensure that food businesses engage in appropriate food hygiene, so that the food they sell is safe for human consumption.

Further, any interference with privacy will be lawful as it will be required under the act, will occur in precise circumstances set out in the provisions as they apply to particular premises, and as such will be applied on a case-by-case basis.

(f) Food safety supervisor

A food safety supervisor is a person who knows how to recognise and prevent the hazards associated with the handling of food by a business, and has the ability and authority to supervise other people handling food to ensure that it is done safely. The food safety supervisor must have met relevant competency standards. Usually this involves the supervisor undergoing recognised training.

As indicated in this statement, the act will enable the secretary, under new section 19C, to declare classes of food businesses, and specify which classes will be required to have a food safety supervisor. It will maintain a provision similar to that which exists in the current act.

New section 19GB will provide that the proprietor of a food premises who is required by a declaration made under the act to have a food safety supervisor must give the registration authority written details of the name and the qualifications of the current food safety supervisor for the premises, within seven days of being asked to do so in writing by the registration authority. As this will involve disclosing the name and qualifications of the food safety supervisor, it engages the right to privacy.

This provision is intended to ensure that the registration authority can check whether the proprietor is complying with the requirements of the act regarding food safety supervisors. For instance, if the person nominated as a food safety supervisor has not met the required competencies, the food premises will not be conducted in accordance with the act. This could lead to inadequate supervision of staff about how to handle food safety.

The right to privacy is not limited by this provision. Any interference is not arbitrary because it is designed to give proper effect to the purpose of the act which is to ensure that food handled is safe for human consumption. The disclosure is proportionate because it is only required to be made to the relevant registration authority. The requirement is provided for in law as it is dealt with explicitly in this section.

(g) Public register of convictions

The bill inserts new part 8A into the act to establish a register of convictions against the act. This register is to be kept by the secretary. Each conviction is to be included in this register for 12 months. As councils ordinarily prosecute these offences, they will provide relevant information to the Secretary for

inclusion in the register. This register is to be published on the department's website.

The register would apply to any offence against the act or regulations. Currently, it appears that prosecutions typically relate to a proprietor operating an unregistered food premises, or a failure to comply with hygiene-related requirements. The purpose of this register is to inform the public about convictions at food premises.

Ordinarily a conviction under the Food Act would be dealt with in open court, typically in the Magistrates Court. Currently any person may attend court in such a case and hear the case being determined, and the sentence that is handed down. The media can report the conviction. In addition, any person can ordinarily apply for a copy of the court decision from the court register, but only if they know what to ask for. Sentencing is a matter of public record, and is usually not strictly confidential.

However, in practice members of the public may not find out about the conviction when the sentence is given. The register will ensure that this information is readily available to members of the public for a 12-month period. The register is not intended as an additional form of punishment as the sentence has been imposed by the court. The register will increase the opportunities for a court's decision to become known by those who have an interest in the matter.

Members of the public may wish to take the conviction into account in deciding whether or not to purchase food from a particular business.

The information that is to be included in the register for 12-months and available for public inspection during that period, is generally to include the following:

the name of the person who is convicted of the offence (whether a natural person or incorporated);

where known, the nature of the relationship between the convicted person and the food business at, or in relation to which, the offence was committed (e.g. proprietor of the food business, or director of a company that is the proprietor);

a description of the offence, the date of conviction, the decision of the court, the name of the court, and the sentence;

the name of the council that prosecuted the offence;

the address of the premises at which the offence was committed; and

the trade and any company name(s) under which the food business trades.

To ensure accuracy, the information will be derived from sources such as the extract of the sentencing court's decision and information about the food premises kept by the relevant council under the act.

The right to privacy and reputation is engaged by this provision, to the extent that the information in the register will relate to a natural person. This could include an individual's name, the offence that person has been convicted of, and the address of the food business that the person works at or operates.

Even though sentencing is generally conducted in open court, publishing the information on a website would make it far more accessible. To the extent that more people become aware of the conviction than would otherwise be the case, this might be considered an interference with privacy.

The establishment of the register, and the associated necessary handling of information, is not considered to be an arbitrary interference with privacy. It is reasonable in the circumstances, and accords with the aims of the charter, because:

it will increase the accountability of food premises by making more information readily available to the public about non-compliance with the act. This will positively promote the right of persons to 'seek, receive and impart' information as contained in section 15 of the charter. It will also positively promote the right recognised in section 24 of the charter regarding the making public of the decisions of a court;

only relevant information is to be published in the register;

the publication is for a limited period of time — 12 months.

the register is to be confined to cases of such sufficient seriousness that the court has decided that it is appropriate to record a conviction;

identifying information will not be included in the register where this would be contrary to any other law or order such as an intervention order, or an order of any court prohibiting publication;

the bill requires consultation with the privacy commissioner to address other unforeseen circumstances in relation to the inclusion of addresses in the register;

the information in the register will be obtained from authenticated sources such as court and council registers, wherever possible, to ensure the accuracy of the information;

the bill provides that the information about conviction is not to be included in the register until such time as any relevant appeal periods against the conviction have lapsed or when an appeal is on foot;

the bill contains mechanisms to allow an affected person to apply to have information in the register corrected;

a food business may request that an annotation be added to the relevant entry in the register indicating that the registration of the food premises has been transferred to a new proprietor, which can occur when ownership of the business has changed; and

documents or information obtained, created, or retained, in the course of administering the provisions of the act regarding the register by the secretary will be handled in accordance with the bill and any applicable general laws such as the Public Records Act and the Information Privacy Act.

Any interference with privacy will be lawful, as it will be governed by the very specific criteria and processes outlined in the bill and applicable general laws. The bill sets out the

precise circumstances in which information can be included in the register, and these provisions will be applied on a case-by-case basis in accordance with the circumstances of each case.

It is understood that the right to not have one's reputation unlawfully attacked in section 13 of the charter generally involves untrue statements that are intended to harm the reputation of a person. This is not applicable to the register, as the provisions are designed to ensure the publication of accurate information about a conviction, and are to inform the public, not to harm the person. Even if it were thought that the right is engaged, the bill sets out the circumstances in which publication of a conviction will be lawful. Therefore the bill is compatible with this aspect of the right in section 13, as well as with the right to privacy.

2. Section 20: property rights

Section 20 of the charter provides that a person must not be deprived of their property except in accordance with law.

(a) Routine sampling of food

Currently every council is required under section 32 of the act to purchase food samples from food businesses and submit a minimum of three food samples per every thousand persons within its municipal district for analysis. The results of the laboratory analysis are to be considered by the council. This enables the council to arrange for testing for bacteria or other micro-organisms to assess whether food prepared and sold in its municipal district is safe for human consumption.

Clauses 37 and 38 substitute new provisions into the act to enable data about food sampling analysis to be collated by the Department of Human Services in order to gain a more reliable picture about food safety across the state. The department would use this data to develop policy and assess the effectiveness of food regulation.

New section 32A empowers the secretary to the department to declare the number and type of food samples that must be procured by councils for testing by laboratories. New section 32 requires councils to obtain these samples of food from food businesses.

Section 22 of the act currently enables an authorised officer to demand and procure a sample of food for the purposes of the act, on payment of the current market value of the food. New section 32(6) will, together with section 22, enable this practice to continue for the purposes of this new sampling regime, but only where the sample is to be purchased from premises which are registered under the act or have notified the council about their operations required under the new part 6, when those premises are in operation.

This is to ensure that each council can fulfil its obligation to collect food samples for the purposes of this sampling program. The council must be able to obtain the correct type of samples required under the declaration, so that the overall sampling is representative of the food-handling practices throughout the state. This is needed to ensure that the correct conclusions can be drawn, to inform further food safety activities by regulators.

Ordinarily the food purchased will be for sale to the public or another food business. In addition, as full market payment is always to be tendered for the food, it is considered that the

purchase does not amount to a 'deprivation' in the sense in which this phrase is intended to apply under the charter.

However, even if the right is engaged in the situation where the business would prefer to decline the sale, this right is not limited. This is because any deprivation is clearly in accordance with the law, as it is expressly authorised under the act. The discretion to purchase the food on demand will be exercised by the officer under section 32, in accordance with section 22 and the declaration made under the new section 32A. The declaration will outline the kind of food to be purchased or the regulated premises from which it is to be obtained.

(b) Grounds for refusing or revoking registration

The new food premises classification system, and associated regulatory requirements which are inserted into the act by part 2 of the bill, have been outlined in this statement. The new part 3B of the act provides that a failure to comply with a requirement under that part is a ground for refusing to grant, renew or transfer registration of food premises, or to revoke or suspend a registration. This essentially continues the approach taken under current law, although the new part 3B does alter the range for regulatory requirements that can be applied to a class of food premises.

For instance, this would be relevant where a business is required, but fails, to have an adequate food safety program, keep minimum records, appoint a suitably qualified food safety supervisor, comply with direction about training of staff, or have a food safety program audited. Such a failure does not automatically lead to loss of registration. If a ground exists under part 3B, the amended part 6 of the act will continue to confer discretion on the registration authority to suspend or revoke registration (current section 40D) or refuse to renew registration (as the current section 39(2) is being replaced by an equivalent provision in new section 38D (2)).

In all of these situations the registration authority would need to take all relevant circumstances into account to determine whether loss or suspension of registration is appropriate in a particular case. In addition, section 39A of the act will continue to provide that if there are failures to comply with the act, the council may generally grant a conditional registration, instead of refusing to renew registration, if this will not pose an immediate risk to the health of any person. It is a condition of the registration that the deficiencies are remedied. This structured approach is used in practice now and is designed to ensure proportionate decision making. This methodology will continue under the amended act.

In addition, the new part 3 of the act sets out when an order may be made requiring a proprietor to put a food premises into a clean and sanitary condition, or take steps to ensure that food prepared or sold is safe and suitable for human consumption. The order may provide that until such measures are taken, the premises must not be kept or used for the sale of food, the handling for sale of food, or a specified purpose relating to food. There can therefore be a full or partial 'closure' of the food premises. This aspect of the order about closure can be made initially, where warranted, or subsequently (such as when the business has failed to remedy the problems and is still operating and endangering public health). This power must be exercised according to ordinary administrative law principles, to ensure the problems identified are rectified and to protect public health.

A similar provision in new part 3 applies in relation to restricting the operations of a food vending machine where it is not in a clean or sanitary condition.

New part 3 is similar to the equivalent sections in the current act, although the nature of the powers is altered in some instances. For instance, new part 3 would allow council to order the temporary closure of premises, whereas currently this power only rests with the secretary.

An order under new part 3 prohibiting the premises from being used as a food business entirely or for a specified purpose, or a decision under part 6 to refuse or revoke registration, would prevent a business from lawfully operating the food business or an aspect of the business.

It is not clear whether such an order or decision amounts to a deprivation of property. This would not alter the legal ownership of the business or the premises. It would prevent the owner from deriving profits from this activity. An order under part 3 is temporary in nature — it is revoked once the hygiene or food-handling problems are rectified. A suspension of registration can also be lifted. A refusal or revocation of registration is ongoing, although again if the deficiencies at the premises are addressed the proprietor can reapply for registration.

Even if it is thought that such an order or decision may amount to a deprivation of property in a particular case, any deprivation would be in accordance with law. The act structures the making of these decisions and limits the situations in which they can be made. The provisions governing the making of these orders or decisions are specific in their application, and are all for the purpose of protecting public health.

3. *Section 26*

Section 26 of the charter provides that a person must not be tried or punished more than once for an offence in respect of which he or she has already been finally convicted or acquitted in accordance with law.

The discussion about the right to privacy in this statement gives a comprehensive outline of the amendments in clause 27 to establish a register of convictions. It is considered that the register is compatible with the right in section 26 of the charter as the register involves the publication of a punishment imposed by a court. Greater public access to this sentence is not in itself an additional punishment. The purpose of the register is as outlined above — to improve the public's access to information about convictions for offences against the act.

4. *Section 27*

Section 27(2) of the charter provides that a penalty must not be imposed on any person for a criminal offence that is greater than the penalty that applied to the offence when it was committed.

New section 73 of the act provides that the register of convictions established in the new section 53D must include a conviction for an offence committed before the commencement of the register provisions, if the conviction is recorded after that commencement.

It is considered that this does not limit section 27(2) of the charter in relation to offences that have occurred before

commencement, as the bill does not increase a penalty for the offences under the act. The bill will enable the publication of the penalty that has been imposed by the court for the criminal offence. Such a publication does not increase the 'penalty'.

Conclusion

I consider that the bill is compatible with the human rights set out in part 2 of the Charter of Human Rights and Responsibilities, because it raises human rights issues but does not limit human rights.

Daniel Andrews, MP
Minister for Health

Second reading

Mr ANDREWS (Minister for Health) — I move:

That this bill be now read a second time.

Food regulation plays an important role in protecting public health and promoting confidence in Victoria's food industries.

The food industry employs about 370 000 people in Victoria and generates an estimated \$6.8 billion in exports. Food reaches consumers through supply chains — from primary production, manufacturing, through to retailers such as supermarkets and restaurants. A large proportion of the industry's activity takes place in provincial Victoria and is spread across approximately 86 000 businesses.

Food regulation is complex, involving three levels of government and applying throughout the food supply chain. In Victoria, the Food Act 1984 sets out the basic obligations on all persons to ensure that the food they sell, or handle for sale, is safe. It also requires compliance with the nationally agreed Food Standards Code. Local government and the Department of Human Services administer the act.

The Brumby government is committed to ensuring Victoria's food regulation system is accountable to the community and protects public health. The level of regulation of businesses and community groups must be sufficient to ensure that food that is sold to the community is safe, but regulation should not be excessive or impose unnecessary costs on business that may impede innovation and growth.

It is within this context that the government asked the Victorian Competition and Efficiency Commission to recommend a range of measures to improve the regulation of food businesses.

The government has committed to implementing the overwhelming majority of these recommendations. The

Food Amendment (Regulation Reform) Bill 2009 is the key enabler to action these recommendations.

The VCEC inquiry was broad ranging, and necessarily focused on the big picture. Before developing amendments to the act it was considered important to consult with councils, businesses and other interested parties on best practice models to deliver these reforms successfully.

This bill retains the fundamentals of the existing legislation. The registration of most premises, assessments of compliance, the provision of guidance and advice to food businesses, and the taking of necessary steps to protect public health, will all continue to be the mainstays of food regulation in Victoria.

But we can improve the current system. The bill seeks to strengthen the governance and accountability of food regulation, ensure that the level of regulation is more graduated and proportionate, and improve the administration of the act.

I will highlight key amendments in the bill.

Accountability and governance

The bill clarifies the roles and responsibilities of local government and the Department of Human Services. It proposes that the department will have a statutory role of providing guidance to councils to promote the consistent administration of the act throughout the state.

The bill will enable the Minister for Health to give a written direction to a council, a class of councils or their chief executive officers in relation to any matter concerning the administration of the act. This power would only be available if the minister considers that the direction is in the public interest and will promote either the objectives, or the consistent administration, of the act. Before any ministerial direction is made, consultation will be required.

This overarching monitoring role was recommended by VCEC and is intended to address statewide problems in food regulation. Accordingly, the bill provides that a ministerial direction cannot be made regarding the decision of a council about a particular food premises or proprietor. These matters will continue to be for councils.

The Victorian state-local government agreement makes clear that relations between the state and councils should be conducted in a spirit of mutual respect. Regard for council autonomy, and the ability to account for local circumstances, is important. At the same time,

there is also a need for greater levels of parity in the administration of the act. This is a challenge, given Victoria has a devolved regulatory system with each of the 79 councils having primary responsibility for regulating food premises in its own municipality. The statutory mechanisms that I have outlined balance these competing objectives.

To promote greater public accountability, and evidence-based approaches, the bill also requires councils to report data about their administration of the act to the department. The data will include basic information about the kind and number of food premises that are registered and the number of inspections that are carried out. The department will draw on this information to publish an annual report on food regulation. In addition, the data will be analysed to assist in understanding how the act is operating.

The bill also enables a new food sampling framework to coordinate sampling on a statewide basis. It is being developed in consultation with local government and will target food-handling activities that are a safety risk.

Councils will continue to submit food samples for testing by approved analysts under the act. Once these food samples are tested, the results will inform councils about the kind of food-handling activities within their district that require further education and monitoring. More broadly, the lessons learnt will be shared amongst regulators, providing a better picture about the state of food-handling practices in Victoria.

More graduated and proportionate regulation

The act currently adopts a preventative approach to food safety. Under part 3B declared food premises that are registered under the act must have a food safety program in place. This is a written document that shows how the business will manage the safety of the food it prepares, serves, manufactures or sells.

These premises must also have a food safety supervisor. This is a person who supervises other staff and has attained competencies for the type of food-handling activities carried out at the premises.

Currently, the only food premises that do not need to have either a food safety program or food safety supervisor are those selling low risk, pre-packaged food.

In addition, most premises that are used for events that raise funds solely for community or charity causes — not for personal gain — do not need to have a food safety supervisor.

A theme in the VCEC report is that there should be greater flexibility in relation to which requirements apply to different classes of business. The government response accepted that there should be more graduated requirements placed on business based on the degree of risk associated with the food-handling activities undertaken. The bill makes numerous amendments to parts 3B and 6 of the act to achieve this.

This is intended to reduce the unnecessary regulatory burden on a significant proportion of community groups and lower risk food businesses.

Business, councils and government agencies agree about the need for flexibility in the classification of food premises. It is for this reason that a declaration provision drawing on the current process is retained, and supplemented by a greater range of regulatory options.

It is important to remember that the act requires all food businesses to handle food safely. The nationally agreed Food Standards Code is incorporated into the act and applies generally.

The new part 3B in the bill establishes a revised process for applying additional requirements that promote adherence to these general obligations. The declaration under the new section 19C will specify the classes of food premises that must comply with particular requirements.

The regulatory components that may be applied to a particular class of declared food premises include the operation of food safety programs, audit activities and training requirements.

The bill retains food safety programs. A food safety program can be one that is completed by a proprietor based on a template that is registered by the secretary under the act. As an alternative, there will continue to be non-standard programs, which are tailor-made for the particular activities of a business.

The bill also enables the secretary to declare that certain quality assurance systems may be used to develop a food safety program, creating a third type of program, to be known as a quality assurance food safety program. A QA food safety program is one which has been certified by an approved food safety auditor, developed under such a quality assurance system or code, and meets the relevant requirements in the act. This will be useful for manufacturers or statewide operations whose food safety programs are a component of a much larger quality assurance system that applies to the business as a whole.

Minimum recordkeeping will be an alternative requirement for lower risk food businesses whose activities do not warrant the keeping of a full food safety program.

The provisions regarding food safety supervisors have been retained. However, the act will also allow an alternative means of compliance. If a food premises has a QA food safety program, it can instead demonstrate that staff have undertaken competency-based or accredited training as a part of its program.

The provisions in the bill about the audit and assessment of food safety programs build on the current provisions of the act, with adjustments to reduce duplication and make enforcement more effective. For instance, a council officer will be able to audit food safety programs on behalf of their council, provided that the officer is an approved auditor under the act and the council decides to provide audits.

The government is giving considerable thought to the form of the declaration that would be made under the amended act. The declaration would set out which of these regulatory requirements would apply to each particular class. Drawing on feedback from consultation, it is envisaged that the following scheme would apply.

Nursing homes, hospitals and also child-care centres providing long day care will continue to be 'class 1' premises under the proposed declaration and will need to have a food safety program. This draws on the approach taken nationally. They will need to have a food safety supervisor, and be registered. However, the bill will allow template food safety programs to be developed and, if registered under the act, used in these premises. This will make compliance easier, without compromising safety.

Class 2 is likely to apply to medium risk activities such as the handling of unpackaged food that requires temperature control. This would include many manufacturers, restaurants and cafes that prepare meals. It is expected that this group will continue to be required to be registered with the council, and to have a food safety program and a food safety supervisor.

Those businesses that complete a template program will continue to be assessed at least annually by a council.

Those who have a non-standard program, including a new QA food safety program, will be audited at least annually by a food safety auditor. Council inspection prior to an initial registration or transfer of registration to a new proprietor will be required to ensure that the premises are fit to operate. Annual council inspection

thereafter at renewal of registration will not be mandatory. It is intended that this will ease the degree of duplication of assessment currently experienced by food businesses with comprehensive quality assurance arrangements in place that apply uniformly to all premises they operate across the state.

Councils will retain the discretion to inspect these premises. They will be able to prioritise their inspection resources for this class of premises where there is non-compliance.

It is expected that class 3 will include lower risk activities such as the baking of bread, the wholesale of pre-packaged food, or the retail of only pre-packaged food that requires temperature control. These premises would continue to be registered and inspected annually by councils. However, because this group has been identified as generally lower risk, class 3 premises will no longer require a food safety program or food safety supervisor. Instead, the bill provides that minimum record-keeping requirements will need to be met. The department will prepare guidance material to assist with compliance. Free voluntary online training will also be available.

It is intended that class 4 will include activities that are defined as very low risk, such as the sale of shelf-stable pre-packaged foods, and uncut fruit and vegetables at places such as farmers' markets.

Class 4 would also apply to not-for-profit fundraising activities such as community sausage sizzles where this food is cooked and served immediately, and to kindergartens where basic food such as cut fruit is served. The food safety risk for such activities can be adequately addressed through the measures that will apply to this class. This will include targeted guidance material about how to comply with the general obligations regarding food safety, and encouragement to use the free online training.

The proprietor of a class 4 premises will no longer need to obtain registration from the council. A simple notification to the council of the food-handling activities will be sufficient. Councils will retain the discretion to inspect, but will no longer be required under the act to do so annually.

These changes will lead to a far more graduated set of regulatory requirements under the act, ensuring that the greatest level of regulation is targeted at higher risk food businesses.

Statewide scheme for market stalls and food vans

The act currently requires each market stall or food van to be separately registered in each municipality in which it operates. The bill amends the act to create a single registration and notification system for such temporary or mobile food premises and food vending machines.

The registration or notification would apply across all municipalities throughout the state. This will substantially simplify the application process for these businesses, but especially community groups and farmers' market stalls.

The council which receives the statutory application will generally be the council in whose district the temporary or mobile food premises are based. The business may then operate the relevant vehicles or stalls anywhere in Victoria, provided it lodges a statement of trade which indicates where it proposes to trade. A database will apply across municipalities to allow councils to work together to monitor compliance with the act. It will also enable a statement of trade to be lodged online.

Part 2 of the bill also enables a council to choose to recognise the registration of a temporary or mobile food premises granted by another council. If that registration is recognised, the premises can operate in the municipality of the recognising council. This will assist a number of food businesses that currently require multiple registrations. This change will come into effect in conjunction with the reforms to the food premises classification system in 2010 and is an interim measure. It will not be required when the full statewide scheme for market stalls and food vans in part 4 of the bill comes into effect in 2011.

Improvements in the administration of the act

The bill also makes various other changes to improve the operation of the act.

Currently, the act contains a hierarchy of sanctions that can be applied to address non-compliance. These must be viewed in conjunction with non-statutory methods such as providing advice or writing a letter of warning. Typically steps that are more serious will be taken when 'lighter' measures have failed, or when the risk of harm is significant.

The government has agreed to implement a series of recommendations made by VCEC to give councils greater flexibility in the administration of the act, especially where this would enable councils to focus

more on businesses that do not meet minimum standards.

The bill proposes that councils be able to charge 'poor performers' additional fees for follow-up inspections where there has been repeated non-compliance to recover the greater costs that they incur in focusing their efforts more on businesses that pose a greater risk to public health. Fees cannot be charged separately for any minimum mandatory assessments specified in the new section 19C declaration, or for an annual statutory inspection.

In addition, this power to charge fees is only available if the council has chosen not to take the overall cost of such inspections or assessments into account when it fixes annual registration fees.

Councils will also be able to issue infringement notices for certain offences under the act.

The bill also enables councils to make an order requiring food premises to cease to operate, or to stop particular food-handling activities, pending the taking of steps that would render the premises clean or otherwise improved so that food prepared at those premises is safe.

This change will also rectify an anomaly in the act. Currently, in circumstances where food premises are unclean or food prepared is unsafe, only the secretary can make an order prohibiting the premises from being used as a food business until the defects are remedied. In practice the secretary's power is delegated to the chief health officer.

Given the key role that councils play in assessing compliance with the act, it is logical for councils to have this power. The chief health officer would be available to provide advice to councils where needed. As a delegate of the secretary under the act, that officer would still be able to act in the event that no action is taken by a council and there is a serious risk to public health.

Given the serious nature of this power, the bill provides that generally this power may only be exercised by the council or the chief executive officer of the council.

The department will be providing guidance and conducting training for councils about the changes to the act, including the enhanced enforcement provisions. This guidance will also be made publicly available.

The bill also inserts new Part 8A into the act to establish a register of convictions under the Food Act. The purpose of this register is to inform the public

about convictions for offences committed in relation to the conduct of food businesses.

The proposed scheme balances the interests of those individuals and businesses who will be affected with the public interest in publishing information about such convictions.

It is important to recognise that ordinarily a conviction under the Food Act is dealt with in open court, typically in the Magistrates Court, with sentencing being a matter of public record. The register will increase the opportunities for a court's decision to become known and is an important measure to increase consumer information.

This register is to be kept by the secretary and published on the department's website. Each conviction is to be included in this register for 12 months. As councils ordinarily prosecute these offences, councils will provide relevant information to the secretary for inclusion in the register.

The bill also includes amendments to enable the public to be informed when a food premises is subject to a temporary closure order. Such an order may operate until the proprietor remedies food hygiene problems. The bill allows a temporary closure order to be published, and permits it to be affixed to the exterior of the premises, whilst it is in force.

As these reforms require a high level of collaboration between the department, councils and business, there will be a staged commencement of the provisions in the bill. This is designed to ensure that these changes will be successfully implemented.

The key changes that will reduce the level of unnecessary regulation on food businesses will come into operation as soon as is feasible. The main changes to food premises classification and regulation will therefore come into effect by 1 July 2010.

Other provisions have been assigned later default commencement dates, to provide sufficient time for necessary information technology system upgrades. Some of the changes in relation to enforcement — such as infringement notices — will come into effect separately when relevant regulations are made and enforcement manuals and training are completed.

Wherever possible, the intention is to minimise the disruption to the annual registration cycles, which in most municipal districts is at the end of the calendar year and is a busy time for both councils and businesses.

Existing council databases may need upgrades to connect with a system that is to be developed for the statewide registration of market stalls and food vans. It is for this reason that there is a default commencement date in the bill of July 2011 for this reform in Part 4.

I am pleased with the level of interest and participation from stakeholders in developing this bill. In particular, I commend the Municipal Association of Victoria and councils for the way in which they have actively contributed in planning to date.

The government is committed to a number of goals. We intend to increase the accountability of the food regulatory system. We wish to ensure that regulation is proportionate and fit for purpose. We intend to promote regulation which is good for the consumer, but also benefits the economy by promoting confidence in food businesses. But foremost is the primary objective of the act — the protection of public health.

This bill seeks to achieve all of these objectives.

I commend the bill to the house.

Debate adjourned on motion of Mrs SHARDEY (Caulfield).

Debate adjourned until Wednesday, 24 June.

GAMBLING REGULATION AMENDMENT (LICENSING) BILL

Council's amendments

Message from Council relating to following amendments considered:

1. Clause 1, line 3, omit "Bill" and insert "Act".
2. Clause 1, page 2, after line 13 insert —
 - "() to make further provision in relation to the placement of automatic teller machines in approved venues; and
 - () to make provision in relation to gaming machine pre-commitment mechanisms; and".
3. Clause 1, page 2, line 14, omit "(d)" and insert "(f)".
4. Clause 1, page 2, after line 15 insert —
 - "() The purpose of this Act is also to amend the **Casino Control Act 1991** to make further provision in relation to the placement of automatic teller machines in a casino."
5. Clause 2, line 17, omit "Division 1 of Part 4" and insert "sections 63 and 64".

6. Clause 2, line 18, omit “and sections 76 and 77” and insert “sections 76 and 77 and Division 5 of Part 4”.
7. Clause 2, line 21, omit “subsection (3), Division 1 of Part 4” and insert “this section, sections 63 and 64”.
8. Clause 2, line 24, omit “a provision referred to in subsection (2)” and insert “section 63(1) or 64, or a provision in Division 2 of Part 4 or section 76 or 77”.
9. Clause 2, after line 26 insert —
- “() If section 63(2), (3), (4) or (5) does not come into operation before 1 July 2012, it comes into operation on that day.
- () Subject to subsection (6), Division 5 of Part 4 comes into operation on a day to be proclaimed.
- () If Division 5 of Part 4 does not come into operation before 1 July 2012, it comes into operation on that day.”.
10. Clause 4, line 5, before “In” insert “(1)”.
11. Clause 4, after line 6 insert —
- ‘ “*authorising officer*, of a club that is —
- (a) a company, means the company’s secretary;
- (b) a co-operative (within the meaning of the **Co-operatives Act 1996**), means the secretary of the co-operative;
- (c) an incorporated association (within the meaning of the **Associations Incorporation Act 1981**), means the public officer or secretary of the association;
- club gaming machine entitlement* means a gaming machine entitlement that is subject to a venue condition that authorises the conduct of gaming in an approved venue in respect of which a club licence or racing club licence is in force;
- constituting document*, of a club that is —
- (a) a company, means the constitution of the company;
- (b) a co-operative (within the meaning of the **Co-operatives Act 1996**), means the rules of the co-operative;
- (c) an incorporated association (within the meaning of the **Associations Incorporation Act 1981**), means the rules of the association;
- hotel gaming machine entitlement* means a gaming machine entitlement that is subject to a venue condition that authorises the conduct of gaming in an approved venue in respect of which a pub licence is in force;
- pre-commitment mechanism* means a prescribed mechanism or system that allows a person to set a time limit or net loss limit before that person plays a gaming machine;”.’.
12. Clause 4, line 7, omit “*gaming*” and insert “*gaming*”.
13. Clause 4, after line 18 insert —
- “() In section 1.3(1) of the Principal Act, for the definition of *venue operator’s licence substitute* —
- “*venue operator’s licence* means a club venue operator’s licence or a hotel venue operator’s licence issued under Division 2 of Part 4 of Chapter 3;”.
14. Clause 5, page 6, lines 6 to 8, omit all words and expressions on these lines and insert —
- “() In section 3.1.2 of the Principal Act, the definition of *State limit* is **repealed**.”.
15. Clause 9, lines 14 to 22, omit all words and expressions on these lines and insert —
- “Section 3.2.3(1)(b), (c) and (e) of the Principal Act is **repealed**.”.
16. Clause 10, lines 12 to 17, omit all words and expressions on these lines.
17. Clause 10, page 12, line 27, after “entitlements” insert “or club gaming machine entitlements.”.
18. Clause 10, page 13, after line 11 insert —
- “() An entitlement holder holds a prohibited number of club gaming machine entitlements if —
- (a) the entitlement holder holds more than 420 club gaming machine entitlements; or
- (b) the sum of the club gaming machine entitlements held by an entitlement holder (the *first entitlement holder*) and one or more other entitlement holders that have a prescribed connection with the first entitlement holder equates to more than 420 club gaming machine entitlements.”.
19. Clause 10, page 13, lines 14 to 16, omit “all directions under section 3.2.3 that relate to hotel gaming machine entitlements must be applied” and insert “a notice published under section 3.4A.5(3) must be applied and the matters set out in section 3.4A.5(5) and (6) must be taken into account.”.
20. Clause 11, after line 25 insert —
- “(ab) while holding gaming machine entitlements, conduct gaming on approved gaming machines in an approved venue operated by the licensee; and”.
21. Clause 11, line 26, omit “(ab)” and insert “(ac)”.
22. Clause 11, page 14, line 1, omit “(ac)” and insert “(ad)”.
23. Clause 11, page 14, line 19, omit ‘games.’ and insert “games.”.

GAMBLING REGULATION AMENDMENT (LICENSING) BILL

Wednesday, 10 June 2009

ASSEMBLY

1819

24. Clause 11, page 14, after line 19 insert —
- ‘(3) A venue operator’s licence only authorises the licensee to conduct gaming on 105 approved gaming machines in every approved venue operated by the licensee.’.
25. Clause 15, lines 24 to 26, omit all words and expressions on these lines and insert —
- ‘() For section 3.4.8(1) of the Principal Act **substitute** —
- “(1) Only a person who is not a natural person may apply to the Commission for a club venue operator’s licence or a hotel venue operator’s licence.
- (1A) An application for a club venue operator’s licence may only be made by a club —
- (a) that is established for a community purpose; and
- (b) the constituting document of which contains provisions prohibiting —
- (i) the distribution of any annual profit or surplus to its members; and
- (ii) the distribution of any surplus to its members on winding up.”.
- () After section 3.4.8(2) of the Principal Act **insert** —
- “(2A) In addition to the requirements of subsection (2), an application for a club venue operator’s licence must also be accompanied by a copy of the club liquor licence, or the racing club licence, for the club and the following information —
- (a) a copy of the constituting document of the club that is certified as true and correct by the authorising officer of the club with the provisions referred to in subsection (1A)(b) clearly marked; and
- (b) a statement of community purpose which sets out the purposes for which the club is established (if these purposes are not set out in the constituting document of the club); and
- (c) any further information that the Commission requires to be satisfied that the applicant is a club established for a community purpose.”.
26. Clause 16, line 29, before “venue” insert “hotel”.
27. Clause 16, line 32, before “venue” insert “hotel”.
28. Clause 16, page 18, line 1, before “venue” insert “hotel”.
29. Clause 16, page 18, line 4, before “venue” insert “hotel”.
30. Clause 16, page 18, line 9, before “venue” insert “hotel”.
31. Clause 17, after line 14 insert —
- ‘() After section 3.4.11(1)(b) of the Principal Act **insert** —
- “(ba) in the case of an application for a club venue operator’s licence, the applicant is a club; and”.
32. Clause 18, after line 20 insert —
- ‘() After section 3.4.12(2)(a) of the Principal Act **insert** —
- “(ab) whether the licence is a club venue operator’s licence or a hotel venue operator’s licence; and”.
33. Clause 18, page 19, after line 5 insert —
- ‘() After section 3.4.13(2)(b) of the Principal Act **insert** —
- “(ba) details as to whether the venue operator is the holder of a club venue operator’s licence or a hotel venue operator’s licence;”.
34. Clause 23, page 31, line 5, omit “10” and insert “15”.
35. Clause 25, page 60, line 22, omit “managed or”.
36. Clause 25, page 62, line 22, omit “The” and insert “Subject to this section, the”.
37. Clause 25, page 62, after line 27 insert —
- ‘() The Minister —
- (a) must not create more gaming machine entitlements than the Minister has specified in a notice under subsection (3); and
- (b) must not allocate a club gaming machine entitlement to a venue operator who does not hold a club venue operator’s licence.
- () The Minister, by notice published in the Government Gazette, must specify the maximum number of gaming machine entitlements the Minister will create under subsection (1).”.
38. Clause 25, page 62, line 28, omit “this section” and insert “subsections (5) to (8)”.
39. Clause 25, page 63, after line 8 insert —
- ‘() The imposition of geographic area conditions under subsection (4)(a) must result in at least 20% of all gaming machine entitlements created authorising the conduct of gaming in a region or municipal district outside the Melbourne Statistical Division.
- () The imposition of venue conditions under subsection (4)(b) must not result in —
- (a) more than 50% of gaming machine entitlements created authorising the conduct

of gaming in an approved venue in respect of which a pub licence is in force; and

- (b) more than 50% of gaming machine entitlements created authorising the conduct of gaming in an approved venue in respect of which a club licence or racing club licence is in force.

Note

In addition to specifying, under subsection (3), the maximum number of gaming machine entitlements the Minister will create, the Minister may direct the Commission as to the maximum permissible number of gaming machines available for gaming in the State and the Commission is bound by such a direction: see section 3.2.3(1)(a) and (5).”

- 40. Clause 25, page 63, line 9, omit “A” and insert “In addition, a”.
- 41. Clause 25, page 63, line 13, omit “A” and insert “In addition, a”.
- 42. Clause 25, page 63, line 29, after “entitlements” insert “including any eligibility criteria”.
- 43. Clause 25, page 63, line 33, omit “(5)(a)” and insert “(9)(a)”.
- 44. Clause 25, page 64, line 4, omit “(5)(a)” and insert “(9)(a)”.
- 45. Clause 25, page 64, line 20, omit “3.4A.5(5)(e)” and insert “3.4A.5(9)(e)”.
- 46. Clause 25, page 69, line 1, omit “subsection (3)” and insert “this section”.
- 47. Clause 25, page 69, after line 5 insert —
 - “() The effect of a decision of the Commission to amend a geographic area condition must not be inconsistent with the effect of section 3.4A.5(5).
 - () The effect of a decision of the Commission to amend a venue condition must not be inconsistent with the effect of section 3.4A.5(6).”.
- 48. Clause 25, page 69, line 6, omit “A” and insert “In addition, a”.
- 49. Clause 25, page 79, lines 25 to 31, omit all words and expressions on these lines.
- 50. Clause 25, page 80, line 1, omit “**3.4A.32**” and insert “**3.4A.31**”.
- 51. Clause 25, page 80, line 8, omit “**3.4A.33**” and insert “**3.4A.32**”.
- 52. Clause 25, page 80, line 24, omit “**3.4A.34**” and insert “**3.4A.33**”.
- 53. Clause 54, page 118, line 5, omit “4.2.8(3)” and insert “4.2.9(3)”.

- 54. Clause 54, page 118, line 10, omit “4.2.8(3)” and insert “4.2.9(3)”.
- 55. Clause 54, page 118, line 15, omit “4.2.8(3)” and insert “4.2.9(3)”.
- 56. Clause 54, page 118, line 29, omit “4.2.8(3)” and insert “4.2.9(3)”.
- 57. Clause 57, page 126, line 20, omit “4.3A.34I or 4.3A.34J” and insert “4.3A.34I, 4.3A.34J or 4.3A.34K”.

- 58. Heading to clause 63, line 4, omit all words and expressions on this line and insert —

“New gaming machine advertising prohibitions and responsible gambling sign requirements”.

- 59. Clause 63, line 5, before “After” insert “(1)”.
- 60. Clause 63, page 143, after line 21 insert —

“() In section 1.3(1) of the Principal Act, after the definition of *Responsible Gambling Code of Conduct*, insert —

“responsible gambling sign means a sign (whether consisting of words, symbols, pictures or any other thing) that —

- (a) can reasonably be taken to be intended to foster responsible gambling in order to minimise the harm caused by problem gambling; and
- (b) is prescribed;”.

- () After section 3.5.34AA(6)(b) and 3.5.34AB(4)(b) of the Principal Act **insert** —

“(ba) a responsible gambling sign; or”.

- () After section 3.5.35 of the Principal Act **insert** —

“3.5.35A Responsible gambling signs

- (1) A venue operator must display, or cause to be displayed, outside every entrance to a gaming machine area of an approved venue a responsible gambling sign.

Penalty: 60 penalty units.

- (2) This section does not apply to a venue operator who is a casino operator.”.

- () In Part 3 of Schedule 1 to the Principal Act, after item 3.25 **insert** —

“3.25A Responsible gambling signs including —

- (a) the information that must be included in a responsible gambling sign;
- (b) the size of a responsible gambling sign;

- (c) the placement of a responsible gambling sign outside an entrance to a gaming machine area of an approved venue;
- (d) the manner in which a responsible gambling sign must be displayed.”.

61. Clause 75, after line 19 insert —

“22.1A Existing venue operator’s licences to be club venue operator’s licences or hotel venue operator’s licences

On the commencement of section 16 of the **Gambling Regulation Amendment (Licensing) Act 2009** —

- (a) a venue operator that holds a club liquor licence or a racing club licence is deemed to be the holder of a club venue operator’s licence; and
- (b) a venue operator that holds a pub liquor licence is deemed to be the holder of a hotel venue operator’s licence.

22.1B Minister’s power to make directions relating to gaming machine numbers to continue until specified date

Section 3.2.3, as in force immediately before the commencement of section 9 of the **Gambling Regulation Amendment (Licensing) Act 2009**, continues to have effect until 15 August 2012 as if section 9 had not come into operation.

22.1C Current Ministerial directions relating to gaming machine numbers

- (1) This clause applies to a direction of the Minister —
 - (a) made under section 3.2.3 that contains a matter or thing provided for under section 3.2.3(1)(b), (c) or (e); and
 - (b) that is in force immediately before the commencement of section 9 of the **Gambling Regulation Amendment (Licensing) Act 2009**.
- (2) The direction continues to have effect until 15 August 2012 despite the commencement of section 9 of the **Gambling Regulation Amendment (Licensing) Act 2009** and may be amended or revoked accordingly.”.

62. Clause 76, line 16, omit “3.5.34AA(7)” and insert “3.5.34AA(8)”.

63. Division heading preceding clause 78, omit “5” and insert “7”.

64. Clause 79, line 3, omit “1 January 2011” and insert “1 July 2013”.

65. Insert the following New Clauses and Division headings to follow clause 77 —

‘Division 5 — Placement of automatic teller machines

AA New Subdivision heading inserted

Before section 3.5.29 of the Principal Act **insert** —
 “Subdivision 1 — General measures”.

BB New Subdivision inserted into Division 3 of Part 5 of Chapter 3

After section 3.5.33A of the Principal Act **insert** —

“Subdivision 2 — Automatic teller machine measures

3.5.33B Definitions

In this Subdivision —

approval means an approval granted under section 3.5.33F;

approved venue, where that venue is not on a racecourse, includes —

- (a) the exterior walls of the venue; and
- (b) any land that is owned or leased (under a retail lease or otherwise) by the venue operator on which the venue is located; and
- (c) any car park owned or occupied by the venue operator and used primarily by patrons of the venue;

default conditions means the conditions specified under section 3.5.33H;

Ministerial direction means a direction of the Minister under section 3.5.33G.

3.5.33C Automatic teller machines prohibited in approved venues not on racecourses

- (1) A venue operator must not provide, or allow another person to provide on the venue operator’s behalf, an automatic teller machine in an approved venue that is not on a racecourse unless the venue operator holds an approval that authorises the provision of that machine.

Penalty: 60 penalty units.

- (2) This section does not apply to a venue operator who is a casino operator.

3.5.33D Limiting placement of automatic teller machines on racecourses

- (1) In relation to a gaming machine area in an approved venue that is on a racecourse, a venue operator must not provide, or allow another person to provide on the venue operator's behalf, an automatic teller machine —
 - (a) in the gaming machine area; or
 - (b) in an area that is less than 50 metres walking distance away from an entrance to the gaming machine area.

Penalty: 60 penalty units.

- (2) Section 43 of the Interpretation of Legislation Act 1984 does not apply to the measurement of any distance for the purposes of subsection (1).

3.5.33E Application for approval

- (1) A venue operator may apply to the Commission for an approval to provide, or for another person to provide on its behalf, an automatic teller machine in an approved venue.
- (2) An application for an approval must —
 - (a) be in a form approved by the Commission; and
 - (b) contain or be accompanied by any additional information the Commission requires; and
 - (c) be accompanied by the prescribed fee (if any).

3.5.33F Approvals

- (1) Subject to this section, on receipt of an application under section 3.5.33E, the Commission may grant or refuse to grant an approval.
- (2) The Commission must not grant an approval unless —
 - (a) the approved venue in which the venue operator proposes to place or allow to be placed an automatic teller machine is or will be situated outside the Melbourne Statistical Division; and
 - (b) the Commission is satisfied that the community in which the approved venue is or will be situated would, if the approval is not granted —
 - (i) have no reasonable alternative access to cash facilities; and

(ii) suffer hardship.

- (3) For the purpose of being satisfied under subsection (2)(b), the Commission —
 - (a) must apply any criteria specified in a Ministerial direction; and
 - (b) must take into account any other matters specified in a Ministerial direction; and
 - (c) may take into account any other matter it considers relevant.
- (4) The Commission must —
 - (a) notify, in writing, the venue operator of its decision under this section; and
 - (b) publish notice of the granting of an approval in the Government Gazette under this section.
- (5) An approval comes into effect on the day notice of its granting is published in the Government Gazette or on a later date specified in the notice.
- (6) An approval remains in force until revoked by the Commission under this Subdivision.

3.5.33G Ministerial directions as to approvals

- (1) The Minister may give a written direction to the Commission in relation to —
 - (a) criteria the Commission must apply for the purpose of section 3.5.33F(2)(b);
 - (b) any other matters that the Commission must take into account for the purpose of section 3.5.33F(2)(b).

- (2) The Commission, as soon as possible after receiving a direction under this section, must publish the direction in the Government Gazette.

3.5.33H Conditions of approvals

- (1) Every approval is subject to the following conditions (**default conditions**) —
 - (a) it is a condition of the approval that the automatic teller machine to which the approval applies has a withdrawal limit of not more than \$200 for every transaction;

- (b) it is a condition of the approval that the automatic teller machine to which the approval applies does not allow cash advances from credit accounts;
- (c) it is a condition of the approval that the automatic teller machine to which the approval applies is not located within the gaming machine area of the approved venue;
- (d) a condition that is prescribed.
- (2) The Commission may grant an approval subject to any further conditions the Commission considers fit.
- (3) The further conditions that the Commission may impose on an approval under subsection (2) may relate to, but are not restricted to, the following —
 - (a) specifying the location of or providing further restrictions on the location of automatic teller machines at the approved venue;
 - (b) specifying the times when automatic teller machines may or must be available for use at the approved venue;
 - (c) the number of automatic teller machines that may be installed and used at the approved venue;
 - (d) any further withdrawal limits to apply to automatic teller machines at the approved venue.
- (4) However, a condition imposed by the Commission under subsection (2) must not be inconsistent with any default condition.

3.5.33I Amendment of conditions of approvals — Applications by venue operators

- (1) A venue operator who holds an approval may apply to the Commission for an amendment to, or a revocation or a substitution of, a condition of the approval.
- (2) An application under subsection (1) cannot be made in respect of a default condition.
- (3) Sections 3.5.33E to 3.5.33H apply to an application under subsection (1) —
 - (a) as if a reference to an application for an approval were an application under subsection (1); and

- (b) as if a reference to a decision granting or refusing to grant an approval were a reference to a decision amending, or revoking or substituting, or a refusal to amend, or revoke or substitute, a condition of an approval (as the case may be); and
- (c) with any other modifications that are necessary.

3.5.33J Review of approvals

- (1) The Commission must review an approval and the conditions that apply to that approval —
 - (a) not less than once every 5 years after that approval has taken effect; and
 - (b) within 90 days after the Commission becomes aware that there has been a change in access to banking services in the community in which the approved venue to which the approval relates is situated.
- (2) The Commission must notify, in writing, the venue operator who is the holder of the approval of the Commission's review.
- (3) A venue operator may make a written submission in relation to a review within 28 days after being notified of the review.
- (4) The Commission must consider any submission it receives under subsection (3) in conducting a review.
- (5) Following a review, the Commission may decide that —
 - (a) the approval be revoked; or
 - (b) the approval not be revoked; or
 - (c) that a condition of the approval be amended, revoked or substituted.
- (6) The Commission must —
 - (a) give the venue operator written notice of its decision under this section; and
 - (b) if the decision is that the approval is revoked or a condition of the approval is amended, revoked or substituted, publish a notice to that effect in the Government Gazette.
- (7) If the Commission decides to revoke an approval or amend, revoke or substitute

a condition of the approval, that revocation, amendment or substitution (as the case may be) takes effect 90 days after the Commission notifies the venue operator who is the holder of the approval of its decision under subsection (6)(a).

3.5.33K Amendment of conditions of approvals — By the Commission

The Commission may, on its initiative, amend revoke or substitute a condition of the approval only after a review of the approval under section 3.5.33J.

3.5.33L Functions and powers under this Subdivision may be performed or exercised by a single Commissioner

A function of the Commission under this Subdivision may be performed by any Commissioner.

3.5.33M Appeal

- (1) If a decision to refuse to grant an approval under this Subdivision, or a decision to amend, or revoke or substitute a condition of an approval under this Subdivision, is made by a single commissioner, the venue operator may appeal against the decision to the Commission within 28 days of notification of the decision.
- (2) An appeal must —
 - (a) be in writing; and
 - (b) specify the grounds on which it is made.
- (3) After consideration of an appeal, the Commission may —
 - (a) confirm the decision; or
 - (b) in the case of a decision to refuse to grant an approval — grant the approval, subject to conditions;
 - (c) in the case of a decision to decision to amend, or revoke or substitute a condition of an approval — make a decision not to amend, revoke or substitute the condition.
- (4) The decision of the Commission on an appeal —
 - (a) must be notified in writing to the applicant;
 - (b) may include the reasons for the decision.

- (5) The Commission as constituted for the purposes of the appeal must not include the commissioner who made the decision appealed against.”

CC Repeal of certain automatic teller machine measures

Section 3.5.32A of the Principal Act is repealed.

DD Casino Control Act 1991 — automatic teller machine measures

For section 81AAA of the **Casino Control Act 1991** substitute —

“81AAA Limiting placement of automatic teller machines

- (1) In relation to a casino, a casino operator must not provide, or allow another person to provide on the casino operator’s behalf, an automatic teller machine —
 - (a) in the casino; or
 - (b) in an area that is less than 50 metres walking distance away from an entrance to the casino.

Penalty: 60 penalty units.

- (2) Section 43 of the **Interpretation of Legislation Act 1984** does not apply to the measurement of any distance for the purposes of subsection (1).”

Division 6 — Pre-commitment mechanism requirements

EE New sections 3.4.31A and 3.4.31B inserted

After section 3.4.31 of the Principal Act insert —

“3.4.31A Pre-commitment mechanisms required for prescribed gaming machines — 1 December 2010 to 30 November 2015

On and after 1 December 2010 and until 30 November 2015, a gaming operator or a venue operator must not allow a game to be played on a prescribed gaming machine that does not have a pre-commitment mechanism that applies to that machine.

Penalty: 120 penalty units.

3.4.31B Pre-commitment mechanisms required for gaming machines — from 1 December 2015

On and after 1 December 2015, a venue operator must not allow a game to be played on a gaming machine that does not have a

pre-commitment mechanism that applies to that machine.

Penalty: 120 penalty units.”.

FF New subject matter for regulations inserted

After clause 3.26 of Part 3 of Schedule 1 to the Principal Act **insert** —

- “3.26A In relation to pre-commitment mechanisms —
- (a) the method by which a time limit or net loss limit is set;
 - (b) if a person has previously set a time limit or net loss limit, the period of time during which a new time limit or new net loss limit set by a person will not be effective;
 - (c) if a person has previously set a time limit or net loss limit, the responsible gambling information that may be provided to the person, electronically or otherwise, before or during the playing of a gaming machine;
 - (d) the method by which a person who has set a time limit or net loss limit may access an historical record of his or her spending on the playing of a gaming machine;
 - (e) options that a person may choose to apply to his or her playing of a gaming machine if a time limit or net loss limit set by the person has been exceeded;
 - (f) the period of time during which a person may not play a gaming machine if a time limit or net loss limit set by the person has been exceeded;
 - (g) the kinds of networks and connections that may constitute a pre-commitment mechanism that is a system;
 - (h) persons who may install and maintain pre-commitment mechanisms.”.

66. Long title, after “2003” insert “, the **Casino Control Act 1991**”.

Mr ROBINSON (Minister for Gaming) — I move:

That amendments 1 to 17 be agreed to.

In moving these amendments I seek the indulgence of the house for a moment. We find ourselves in a slightly unusual position — notwithstanding the very

significant event in the Legislative Council last Thursday evening where unanimous support was secured for the bill as it went to the house with amendments — we have received advice that subsequent to that, some numbering changes are required. This is unexpected, but we were advised yesterday that there were some procedural matters.

The Clerk of the upper house and the Clerk of this house expressed views that the best way forward to deal with those matters is via the amendments which we are in the process of working through. Following a discussion with the shadow Minister for Gaming, I wonder if — with the indulgence of the house — we both might have the opportunity to discuss this first amendment in order to recap the points in the debate through the passage of the bill in the upper house, so that all members understand what has actually been secured.

The SPEAKER — Order! Leave has been granted.

Mr ROBINSON — As I indicated, the Gambling Regulation Amendment (Licensing) Bill 2009 was passed by the Legislative Council late last Thursday. This was a very significant event because the bill was passed by the Legislative Council without so much as a single division. All members from the various parties were in agreement with the position advanced by the government at that time. The bill, as passed by the Legislative Council and returned to this chamber, has been the subject of extensive negotiation over a period of several months since the release of the draft bill just prior to Christmas last year.

I would like to place on the record my appreciation of those members from other parties who were involved in the discussions and negotiations. At various points in time it seemed like a cast of thousands, but we got there! I would also like to pass on my appreciation and note for the record the contribution of members of my staff of the gambling licences review team headed by Alan Clayton, as well as many other individuals, all of whom made some contribution.

The bill as passed fundamentally changes the gaming industry in Victoria both in the lead-up to and beyond 2012. It secures a venue model going forward from 2012, which is in contrast to the operator model which has existed in this state for as long as gaming machines have been operating in this state, and that is a very substantial change. The government took the view last year, and it has been supported by other parties, that the industry has matured to a point where pubs and clubs could take up the running of the industry with

appropriate controls in place, and that is a very substantial step.

The government has also proposed, and secured agreement from other parties, in relation to precommitment, a policy we announced last year, which will provide for the fitting to all machines of devices that beyond the transition date allow players to select time and monetary limits on their play. This places Victoria very much in the leadership of gaming policy worldwide.

The third element of the bill that has been passed by the upper house and returned to us is a ban on all ATMs (automatic teller machines), with very limited exceptions, to take effect at gaming venues from 1 July 2012. In securing the passage of the bill the government has agreed to provide for club venues to be given the opportunity of securing a limited number of machines prior to the competitive allocation phase, which had earlier been announced to take place in the first half of 2010. Agreement has been reached that incumbent clubs will be given the opportunity to secure up to 40 electronic gaming machine entitlements at two different prices, the price of the first 20 at 180 per cent of the club's profit share of the average annual turnover per machine relative to the 2008–09 published data, which will be out shortly, and a slightly higher price of 200 per cent for a further 20 or any such number beyond 20 that takes the venue up to its current number of poker machines.

It was a matter of record that the government did not originally intend to provide for a pre-allocation phase. The government's consideration of that matter was based on the resistance to the government setting a price. Governments historically have not been great price setters, and it was our original belief that it would have been better for the market to sort that out — that is the competing clubs and pubs. However, we understood that that was not sufficient for the clubs and there was a great deal of anxiety, so we listened to clubs and acted by providing that change of policy. All the time we have done so with a very strict probity overlay on us, which has not provided the usual opportunity to go out and talk directly to participating pubs and clubs.

In securing this agreement with other parties in the Legislative Council last week the government emphasised that the prices set for the pre-allocation phase in no way bear a resemblance to possible prices in the competitive market phase next year, and all clubs that might seek to take up the opportunity of securing entitlements through a pre-allocation phase need to be mindful of that fact and that they could find themselves next year witnessing prices in the competitive phase

that could be considerably lower than those they might have signed up to in the pre-allocation phase. Nevertheless, that is a choice for them, and the government will be emphasising it in coming weeks as the pre-allocation phase is developed further.

Clubs also need to take care with the forthcoming community benefit statement (CBS) and be mindful that the government amended the statement some time ago. The current financial year that is just about to come to a close is the first full financial year in which the modified CBS obligation applies. Clubs need to be mindful that many Victorians will be looking to those statements to judge for themselves how well the clubs live up to the expectations they have set for themselves. We have seen a lot of statements made by clubs in recent months as to the great work they do, and I do not discount those statements for a minute, but there comes a point in time every year under the CBS regime where they need to be able to demonstrate that clearly.

I mentioned precommitment. Last year a precommitment policy was announced by the government that put Victoria well ahead of other states in this country and amongst the leaders in the world, and we have now secured agreement through amendments in the bill that will provide for a three-stage process. I do not wish to go into a detailed exposition of those. Suffice it to say that by late 2015 we would hope to have in place in Victoria, cost permitting, one of the most sophisticated systems in the world that will provide real choice and options for players and in so doing raise the bar in terms of creating a more responsible and safer gaming environment.

In summary, this is very positive legislative reform. Victoria was the national leader and has, with the impending passage of this bill, become one of the world leaders in this field. We will certainly be arguing that the measures that this Parliament, I presume, is likely to approve should become national benchmarks. As I said, we are in the process of going through business that attends to some technical matters associated with the transmission of the bill between the two houses. We have acted on the very solid advice of our eminent Clerk, and we are guided in these matters by him. We look forward to these changes being made without too much ado and to these landmark reforms coming into effect.

Mr O'BRIEN (Malvern) — Broadly on the amendments, the opposition is pleased to say that the bill as it is proposed to be amended is a far better deal than the one introduced into this Parliament by the government. When the bill was originally introduced the opposition flagged its concerns with what the bill

would do to the gaming industry and in particular to clubs in the gaming industry. We identified a number of significant concerns with the structure that had been proposed, and these were reflected in our reasoned amendment, which had three main areas. One was that we wanted to see the bill withdrawn and redrafted to provide for measures designed to limit the concentration of ownership, operation and location of electronic gaming machines.

Pausing at that point, essentially those words were shorthand for the legislating of what had been a practice contained in ministerial directions: that all gaming machines in Victoria be split 50-50 between pubs and licensed clubs, that no fewer than 20 per cent of gaming machines in Victoria would be located outside the Melbourne statistical district and that no venue could have more than 105 gaming machines. We thought those items were essential to be legislated because in this new era of gaming machines and gaming machine regulation we believe the community is entitled to know those safeguards will be entrenched to some extent. We also believe the industry needed to have certainty that those fundamental rules of the industry, which have been in place since pokies came into Victoria, could not be overturned on a whim or at the simple stroke of a ministerial pen, whether that be of the current minister or a future minister. I am delighted to note that as a result of the agreements that were reached between the opposition and the government, those industry rules have been incorporated into this bill.

The second aspect of the opposition's reasoned amendment went to the establishment of the government's promised systems and mechanisms for implementing responsible gambling measures for the conduct of gaming. Essentially these were shorthand for precommitment. The opposition has been calling for the implementation of precommitment in Victoria for quite some time. Its last election policy explicitly called for it. I note that a trial of precommitment has recently been undertaken in Queensland, and the reports of that trial from the Queensland government have been extremely positive. While I understand the minister is keen to say that Victoria is ahead of the pack, it is fair to say that there is a bit of a race across Australia to implement precommitment, and that is a good thing.

Precommitment is a system which respects the right of individuals to choose to gamble but allows those individuals to set their own limits outside the venue and then stick to them once they are inside the venue. We on this side of the house think that precommitment should be implemented in a systematic way across Victoria. It should be linked so that the mechanism is

effective whether one is in a single venue or moves to a different venue, and we think that it should be implemented as soon as practicable.

We welcome the fact that precommitment will now feature in the Gambling Regulation Act for the first time. We have some concerns that the government's timetable on precommitment is less than ambitious, and obviously that will be a matter for various ongoing discussions on our side of politics and no doubt within the government and across many community groups and the industry itself as to what is practicable. We welcome this first step towards implementing precommitment in Victoria. At least there is now a definitive timetable which, as a worst-case scenario, we expect to be implemented.

The third aspect of our concerns with the original bill was in relation to the process of allocation of gaming machine entitlements. Specifically we did not want to see smaller community-based clubs unfairly disadvantaged. I think this has been probably the most contentious of the aspects of the discussions that have taken place with the government over a period of many months, as the minister said. I think that we identified the problem, but it took some time to try to work out what was going to be a practical solution.

We understood that the government was keen to have an auction process of some description. We understood the difficulty in terms of pricing gaming machine entitlements. We wanted to ensure that clubs which do not currently have gaming machines would also have the opportunity to participate in gaming post-2012. It took a significant amount of discussion and creative thinking to try to come up with a solution which would deliver the fairness in the allocation process that this side of the house was seeking.

As the minister has outlined, what we have come up with is a system whereby existing clubs with gaming entitlements are able to purchase 100 per cent of those entitlements up to a maximum of 40 machines at a price set by reference to their current gaming revenue. The cost of the first 20 machines will be 180 per cent of a club's current average annual profit and the second 20 machines will cost 200 per cent of current average annual profit. We believe this will give smaller clubs in particular the opportunity to take themselves out of the auction process if they want to. I take up and endorse the minister's caution that these prices are not necessarily going to be an average price or an expensive price or a cheap price. No-one is going to know that until the auction takes place. Maybe the clubs that wish to purchase machines in the pre-allocation phase at 180 or 200 per cent will be

paying a premium for the certainty, or maybe they will be getting a bargain. We do not know. It is one of those questions that clubs are going to have to grapple with.

We were very concerned to ensure that clubs would have the option of being able to guarantee themselves a certain number of machines at a particular price. It is now going to be entirely up to clubs whether or not they take up that option, but at least they have it. If they choose to purchase those machines, they will be able to do so in the knowledge that they will get those machines and in the knowledge that they will pay a certain price for them.

Another aspect we have always found important is the payment terms. The government initially proposed that clubs would have to pay 10 per cent of the gaming machine entitlement price at allocation and then 10 per cent on issue. Given the difficulties that not-for-profit clubs have with cash flow compared to pubs — not-for-profit clubs by their very nature do not tend to handle large cash reserves because funds get ploughed back into the facilities and the organisation — we thought that a fairer method of payment was in order. As a result, where previously the payment schedule was 10 per cent payable at both allocation and issue, it is now 5 per cent at both stages. I know that securing that amendment has been very important for a lot of clubs — there has been a lot of positive feedback already — and we think it will make the process much fairer.

They are the three major concerns the opposition flagged. I am pleased because I think all three have been addressed. Some have been addressed more than others, but ultimately the discussions that we have had with the government have led to a vastly improved bill and one which the opposition parties are now able to give their support to.

At this point I wish to thank the members on my side of the house who have been very important in this at times tortuous negotiation process, particularly the Deputy Leader of the Opposition in the Assembly, and Mr Peter Hall and Mr Damian Drum, members for Eastern Victoria Region and Northern Victoria Region respectively in the other place. It would also be churlish of me not to acknowledge the work of Mr Brian Tee, a member for Eastern Metropolitan Region in the other place, and, dropping in for an important cameo at the end, the minister himself.

Mr Robinson — A couple!

Mr O'Brien — All right, a couple of cameos. In many ways this was an example of how the Parliament

should work. We have a vastly improved bill as a consequence of the negotiations between the parties. It is unfortunate that political guns sometimes have to be held to heads before governments are prepared to sit down, listen to the concerns of opposition parties and negotiate. Nonetheless let us talk about the outcome. In terms of what we were seeking to achieve on behalf of the community, and particularly community clubs, this is a far better outcome. With those words, we do not oppose amendments 1 to 17.

Motion agreed to.

Mr ROBINSON (Minister for Gaming) — I move:

That amendment 18 be agreed to with the following amendment:

Omit “() An” and insert “(3) An” and make the following consequential amendment in the Bill:

Clause 10, page 13, line 12, omit “(3)” and insert “(4)”.

members should bear in mind that this amendment pertains to a technical renumbering change.

Mr O'Brien (Malvern) — I note that amendment 18 was foreshadowed by Mr Kavanagh, a member for Western Victoria Region in the other place, and limits the amount of entitlements that any one club can hold to 420 machines. It is appropriate to acknowledge the constructive input of Mr Kavanagh and the Greens in the other place. This has been a whole-of-Parliament initiative to improve the bill. Amendment 18 does seem to be the appropriate time to acknowledge that, given that it is Mr Kavanagh's amendment.

Motion agreed to.

Mr ROBINSON (Minister for Gaming) — I move:

That amendments 19 to 36 be agreed to.

Mr O'Brien (Malvern) — I note that a number of these amendments refer to the bona fides and the authenticity of clubs and their ability to participate in the process. It is probably an apposite time to refer to the work that was done by Clubs Victoria, Community Clubs Association of Victoria, the Returned and Services League and individual clubs. I am aware, and I am sure the minister and other members of the house are aware, of the great activity undertaken by those organisations. They have been fierce advocates for their members and their positions. Possibly even the opposition has not seen eye to eye with all the positions of the organisations, but there is no doubt they are great fighters for their corner. Their input has also helped to make this a better bill.

Motion agreed to.

Mr ROBINSON (Minister for Gaming) — I move:

That amendment 37 be agreed to with the following amendments:

Omit “() The” (where first occurring) and insert “(2) The” and Omit “() The” (where secondly occurring) and insert “(3) The”; and make the following consequential amendment in the Bill:

Clause 25, page 62, line 28, omit “(2)” and insert “(4)”.

I remind the house that these relate to technical renumbering changes.

Motion agreed to.

Mr ROBINSON (Minister for Gaming) — I move:

That amendment 38 be agreed to.

Motion agreed to.

Mr ROBINSON (Minister for Gaming) — I move:

That amendment 39 be agreed to with the following amendments:

Omit “() The” (where first occurring) and insert “(5) The” and Omit “() The” (where secondly occurring) and insert “(6) The” and make the following consequential amendments in the Bill:

- (a) Clause 25, page 63, line 9, omit “(3)” and insert “(7)”; and
- (b) Clause 25, page 63, line 13, omit “(4)” and insert “(8)”; and
- (c) Clause 25, page 63, line 17, omit “(5)” and insert “(9)”; and
- (d) Clause 25, page 63, line 32, omit “(6)” and insert “(10)”; and
- (e) Clause 25, page 64, line 3, omit “(7)” and insert “(11)”.

I note again that these relate to technical renumbering changes.

Motion agreed to.

Mr ROBINSON (Minister for Gaming) — I move:

That amendments 40 to 46 be agreed to.

Motion agreed to.

Mr ROBINSON (Minister for Gaming) — I move:

That amendment 47 be agreed to with the following amendments:

Omit “() The” (where first occurring) and insert “(3) The” and Omit “() The” (where secondly occurring) and insert “(4)

The” and make the following consequential amendments in the Bill:

- (a) Clause 25, page 69, line 6, omit “(3)” and insert “(5)”; and
- (b) Clause 25, page 69, line 16, omit “(4)” and insert “(6)”.

I note again that these relate to technical renumbering changes.

Motion agreed to.

Mr ROBINSON (Minister for Gaming) — I move:

That amendments 48 to 66 be agreed to.

Motion agreed to.

Ordered to be returned to Council with message intimating decision of house.

BUSINESS OF THE HOUSE**Program**

Mr BATCHELOR (Minister for Community Development) — I move:

That the government business program agreed by this house on 9 June 2009 be amended by adding the order of the day, government business, relating to the Appropriation (2009/2010) Bill.

Motion agreed to.**APPROPRIATION (2009/2010) BILL***Second reading*

Debate resumed from 9 June; motion of Mr BRUMBY (Premier).

Mr BLACKWOOD (Narracan) — It is with pleasure that I rise to continue my contribution to the debate on the Appropriation (2009/2010) Bill. This budget will deliver \$3 billion in investment for infrastructure and transport development across the state, \$2.07 billion of which will be public transport-related expenditure. However, the effect that will be felt by people in the Narracan electorate will be more hardship, because the Victorian transport plan indicates that it is the Brumby government’s intention to terminate Gippsland train services at Flinders Street station, which will create massive inconvenience for Gippsland commuters. That will be done purely to improve services for metropolitan commuters and regional centre train travellers from Geelong, Ballarat

and Bendigo. There is absolutely no excuse for this blatant disregard for Gippsland families specifically to benefit other Victorians.

Narracan residents who use the Lardners Track level crossing have also been ignored in the budget. Their safety will continue to be compromised every time they use that dangerous crossing because the Minister for Public Transport continues to refuse to acknowledge the danger and fund the upgrade. Another significant and job-generating infrastructure project that could easily have been funded and identified as a shovel-ready economic stream stimulus is the sealing of Southface Road. This has enormous potential from a safety, tourism and broader economic benefit. It would value add the money provided by the timber industry initially and the state government in funding the completion of construction of the road.

Southface Road has a strategically important status for the safety of Erica, Rawson, Walhalla and Mount Baw Baw residents, particularly should a major event restrict access in and out of these towns. This is very relevant given the increased fire activity experienced in this area in recent summers. Southface Road has created a touring transport loop which provides a much-needed boost to the tourism industry in the region. It also has opened up Mount Baw Baw resort to the communities of East Gippsland. The sealing of this road would really enhance safety and encourage even more visitors to the area during the snow season as the road surface would be vastly improved. The sealing of the road would also reduce the maintenance required, especially during the winter months.

The Brumby government's spin machine consistently promotes the lie that the government is building a better Victoria, but with no major projects that will benefit our region it is once more very evident that it is still only interested in building a better Melbourne.

Again, we see record spending on police services of \$1.9 billion. That is a welcome investment at any time, but as I said after last year's budget, we still struggle in towns and communities such as Neerim South, Drouin and Trafalgar, in which rapid population growth is occurring and which have 16-hour police stations. Just last week Sergeant Craig Watts of Neerim South police was forced to write to his local community, advising them to call 000 after hours. He and his colleagues had been arriving at the police station to start their shift each morning, often to find their message service crammed with messages requesting help with incidents that had occurred during the time the station was unmanned.

Under current arrangements, due to government funding shortfalls, this is 8 hours per day. That equates to at least 56 hours per week that the Neerim and district community does not have police available. This is an unacceptable situation which should have been tackled long before this budget allocation was announced. It still has not been looked at seriously by the Brumby government. Though Warragul has a 24-hour police station, too often its members are unable to attend to more remote communities where 16 hour stations operate because of the demand on their services from the larger town centres.

Moe police and their D24 communications branch are still in limbo with no clear timetable under this budget for an expanded use of the Emergency Services Telecommunications Authority's Ballarat communications centre, which would allow an increased police presence in the community instead of trained operational police being used as call centre operators. Narracan needs improved services to ensure that as our towns expand we can meet the needs of those moving to the region. Schools, hospitals, roads, rail and town infrastructure are all of critical importance to regional towns, as local communities seek to ensure that they are not left behind by this city-centric Brumby government.

In recent years West Gippsland hospital has been struggling to cope with increasing demand. I have raised this matter with the Minister for Health in this house on many occasions. The emergency department and the midwifery ward in particular are constantly under enormous pressure. No funding has been provided for a level 1 nursery, which would guarantee 24-hour qualified nursing care for newborn babies and their mothers.

This year well over 800 babies will be born at the hospital. Just last week a newborn baby, Ryley Gunn, arrived four weeks prematurely. He needed extra care but, because of the current status of the nursery, the care he required could not be provided. The staff then had the difficult task of finding a hospital that could provide mother and baby with the appropriate care; this proved very difficult. At one stage it looked as though mother and baby would have to be flown to Adelaide but eventually finished up in Frankston.

For over a week Jess Gunn was separated from her son, Ryley, and had to travel to Frankston Hospital every day to be with him, yet Jess and Clint live in Trafalgar, 15 minutes from the West Gippsland hospital. It is an absolute disgrace that these young parents and the staff at the hospital had to be put under such enormous stress and added pressure because the Brumby government

would not fund a level 1 nursery at the Warragul hospital.

I live with the hope that the minister can address this situation in the next round of funding allocation for our hospitals later this year. Sadly the people of Narracan can be absolutely certain of one very disappointing outcome of this budget. They may have missed out on a number of very important projects, but there is no doubt they will all share in the massive debt this government is imposing on all Victorians — a staggering \$31 billion within three years.

The Premier and this budget should have delivered for all Victorians. Although I welcome those few funding initiatives promised for the people of Narracan, the reality is that regional communities in Gippsland and my electorate of Narracan have been severely short-changed by the Brumby Labor government yet again. Narracan has missed out on projects and scored much more in per-capita debt. I say to the Premier that there are no more excuses, that the people of Narracan deserve far more than the spin and deceit they are getting instead of the action they need.

Mr HULLS (Attorney-General) — I rise to support the Appropriation (2009/2010) Bill. This budget is an iconic Labor budget. The *Australian* newspaper described it in these terms: ‘increased capital spending’, ‘cut costs’ and ‘preserved the AAA’. That is no mean feat in this economic climate, as I think everyone would agree and as governments around the nation and around the globe are discovering.

Now more than at any other period in our lifetime the balance between ensuring sustainable public finances and continuing to build a future for our kids is a very difficult one. I believe we have struck the right balance with this budget. The Australian Chamber of Commerce and Industry and the Victorian Council of Social Service actually praised this budget as both measured and responsible. Even the New South Wales opposition Treasury spokesman described the budget as:

... the benchmark that other Australian governments should follow ... they have been able to deliver infrastructure, cut lead times and control expenses growth in trying circumstances.

This budget is going to be a real thorn in the side of those opposite, because in making tough decisions and committing to infrastructure that will create 35 000 jobs the government is also committing wholeheartedly to Victorian communities.

Those opposite can run all the scare campaigns they like about debt levels; they can cling to the solitary, lonely idea of freezing taxes and charges, but that is because they do not understand the purpose of responsible government. Those opposite do not understand that it is actually government’s role to be open about what it is doing and why it is acting in a certain way — that is, it is the government’s role to lay out a plan for the future which continues to deliver infrastructure, continues to provide services and continues to build strong communities that in turn contribute to sustainable economies.

Such a concept is anathema to those opposite who eulogise about the secrecy and the slash-and-burn policies of the past, who think the only way to ensure financial sustainability is to cut essential services on so many fronts that the public does not know where to look. They think that the AAA credit rating is not for ensuring prosperity and good service provision but an end in itself.

Whilst those lazy members opposite wait for policies to arrive on a silver platter, the Brumby government is doing the work, it is making the tough decisions to put infrastructure services and jobs front and centre. The only plan those opposite can produce is to blow a \$6 billion hole in government revenue. It is all relative; for Labor \$6 billion means new hospitals, new schools, more teachers, more nurses and also more police. For Labor \$6 billion means delivering services and building strong communities. For the Brumby government \$6 billion means a very important investment in ordinary Victorians — in their jobs, in their education and in their health, all of which puts them in a much better position to contribute to a prosperous society. And so of course the wheel turns; that is how it works.

Those opposite, however, would have government coming to a standstill, throwing its hands up in defeat and putting a freeze on taxes and charges that would punch a huge \$6 billion black hole in the state’s finances. In contrast, Labor understands that providing services and building communities is absolutely crucial to a prosperous society. That is why a package of nearly \$80 million in this year’s budget demonstrates yet again the government’s belief in the role that access to justice plays. Put simply, we understand the importance of a system that builds a much safer and a much fairer Victoria. That is why nearly \$25 million in extra funding — over and above the base funding, which we have increased every year since we have been in office — will ensure that Victoria Legal Aid continues to provide expert legal advice and assistance to those Victorians who need it.

This is one of the many signposts that distinguishes this side of the house from those opposite, just like the neon differentiation to be found in our development and ongoing support of the Neighbourhood Justice Centre. This is a national first, a community-based justice centre which is reducing offending, reducing reoffending, resolving disputes and involving local people in local and lasting solutions. We should never ever forget that when the Neighbourhood Justice Centre was first established those opposite labelled it apartheid justice — this, of a mechanism that has done nothing but bring people and communities together. Those opposite just do not get it, but the government does, which is why this government allocates over \$26.2 million to cement the Neighbourhood Justice Centre's operation and allow it to continue its record of very positive results.

In the area of further supporting families, I think everyone would agree we must do what we can to eradicate the scourge of family violence. One way we can do this is by ensuring that the law acknowledges the harm family violence causes and encourages victims to come forward. The specialist family violence divisions of the Ballarat and Heidelberg magistrates courts and also the specialist services at Melbourne, Sunshine and Dandenong courts are doing just that. The additional \$10.8 million allocated in this budget will help them to continue to do this valuable work. A further \$10.8 million will support programs designed to reduce offending by those experiencing multiple forms of disadvantage. The Court Integrated Services program is just one way in which the Brumby government has acknowledged that when we tackle people's problems in combination rather than in isolation we break the cycle of disadvantage and offending, thereby making our communities much safer.

Finally, a further \$7.5 million will ensure that the Sentencing Advisory Council will continue to link Victorians with the courts that serve them. We think it is important that after setting up the Sentencing Advisory Council and getting specialist advice in relation to sentencing we continue the important work of that council.

I turn to racing. The racing industry is another arena where the Brumby government has shown it has the foresight and the imagination to make the right decisions. We understand that racing in this state is not just about entertainment. We know it is about jobs and about communities. That is why since coming to office in 1999 we have provided country racing with funding totalling some \$44.1 million through the Racing Industry Development program and the Living Country

Racing program, which are all about ensuring that country racing continues to thrive. It is also why last year we announced the largest ever funding commitment by any government in Victoria's history for Victorian rural and regional racetrack infrastructure projects.

The Regional Racing Infrastructure Fund is a \$86 million package over the next four years. The government is contributing some \$45 million, and the racing industry is providing the remaining \$41 million in a real partnership between the government and all three codes of the industry. It is estimated that this \$86 million package will create up to 400 jobs during the delivery of the infrastructure projects and will also protect existing jobs in the very important racing industry, which is a hallmark of the Brumby government's priorities. Meanwhile, the implementation of the Racing to 2020 proposals of Racing Victoria Ltd will ensure a truly sustainable future for Victorian country racing.

We are passionate about racing in this state. In particular, we are passionate in particular about racing in regional and rural parts of Victoria. Yet there are some members of this place — those opposite in particular — who do not want to hear this. Despite once supporting the creation of RVL as an entity independent of government and describing his own views as irrelevant when it came to racing, the member for South-West Coast now questions RVL's independence with spurious claims that the government is in some way controlling RVL's proposals with a secret agenda to close country race clubs. That is palpably untrue, and the member who has made these absurd accusations knows they are untrue.

The irony is that if the decision had been left to him, many country racecourses would already have closed. In 1995 that member quite clearly made the comment that if country clubs struggled, you had to question whether they could continue to be a drag on the industry. The member for South-West Coast made his thoughts clear when he used the words 'a drag on the industry'. The fact is that the member for South-West Coast is the only drag on the Victorian racing industry. Last week he was still alleging that there would be savage cuts in the racing industry and that countless country clubs would close. That completely ignores the investment in both training and infrastructure that this government has made and the unequivocal intentions of RVL and Country Racing Victoria.

RVL and Country Racing Victoria are the peak bodies representing thoroughbred racing in this state. They have made it clear time and again just how untrue the

comments of the member for South-West Coast are; and they have, politely I might say, called his allegations 'unfortunate misrepresentations'. What they are really saying is that he is running around the state telling a bunch of porkies about country racing — and he knows what he is doing.

The Victorian racecourse and training facilities infrastructure plan has been developed following comprehensive consultation right across the industry and enjoys wide industry support. RVL and Country Racing Victoria have made it clear that under a rolling five-year plan country race meetings will increase in number from 420 to 437 a year and no racetrack or training venue will close. That has been made clear to the member for South-West Coast. RVL and Country Racing Victoria also describe the government's collaborative investment as a record investment in infrastructure; the government calls on the coalition to rethink its position for the betterment of our sport and for the many communities that depend on racing's long-term success.

Let us face it, the member for South-West Coast has got only one thing right in his long association with Victorian racing — that was when he said in 1995 that his views were irrelevant. That is true and the punters of this state know it. They also know that this government is investing in the building blocks of a sustainable industry, one in which job opportunities abound, all the while letting an independent governing body take the reins.

This is the difference between the government and those opposite. Those members simply cannot or will not understand what an independent governance body is all about. They do not understand that jobs are created and communities are strengthened by governments that invest in their future, that build opportunities, that create avenues for people to actually participate in their economy and opportunities for people to participate in their society. That is what this recent budget is all about. That is why the government should be congratulated wholeheartedly for such a great budget, a true Labor budget; and we will continue to invest in Victoria's future.

Whilst opposition members run around and talk about things such as debt, the opposition has no plan for the future of Victoria. Its only plan is to cut a huge \$6 billion hole in the budget, which means closing schools, sacking police, sacking teachers and indeed, not investing in infrastructure. The government will continue to do the right thing by Victorians. So far as racing is concerned, the government will continue to ignore the absolute nonsense being spread by the

member for South-West Coast. This is a great budget, a true Labor budget and it should be supported by all members of this house.

Mr CLARK (Box Hill) — The state budget this year comes in a period of difficult economic times. Australia is very fortunate that the previous government at a commonwealth level, under the leadership of then Prime Minister John Howard and Treasurer Peter Costello, delivered a remarkably strong, robust, resilient and flexible national economy. The economic downturn that has occurred internationally has struck a strong Australian economy like a tidal wave from outside.

That having been said, it also has to be said that the Prime Minister and the Premier, and their governments, are not helping with the economic difficulties facing our nation. Our Prime Minister and his government are spending too much, too fast and too recklessly. In Victoria the Premier, in both his current capacity and his previous capacity as Treasurer, over the years has run down the state's finances and government services to a point where the state is left ill-prepared for the economic downturn that has now occurred and with soaring debt levels.

Year after year in speaking on budgets of the current government I have referred to the graphs that have shown the debt levels starting to creep up. We have gone from a reverse J-shaped chart to what is now a full U-shaped chart where debt is rapidly increasing again after the dramatic reductions under the previous Liberal-Nationals government in Victoria and the strong situation we left to the current government. The government's story has changed from year to year to the point where it is now admitting that our debt levels are projected to increase substantially. Indeed, I go far further than that when I say that the current rate of increase in debt levels is just unsustainable.

To make matters worse, not only have we had this rapidly and unsustainably increasing level of debt, but at the same time we have had a failure of services. It is not as though debt has been run-up in order to improve services and infrastructure. We find people cannot get to work on time because the transport network is failing. We find that we have not got enough water and energy supplies in the state. We find violent crime reaching ever higher levels. We find that patients are waiting even longer in queues to get into hospitals. We find that families are under increasing financial strain, and then to make matters worse, on top of this neglect of services, we find a lack of government integrity; almost every week brings a new scandal, starting with councils such as Brimbank and Casey, and extending up to the staff of ministers in the state government.

When you are in difficult economic times in particular — indeed at any time — you cannot wave a magic wand to solve problems with state finances. You cannot reach out for a magic pudding and cut an extra slice of money whenever you need it. To overcome the problems of current service levels and money being wasted you have to get back to the fundamental requirements of living within your means, setting priorities and working out solutions that achieve effective results with the available funds.

The Attorney-General had the gall to tell us earlier that his government believes in forward planning. It beggars belief that he is asserting that, because this government has made an art form of constantly changing direction from budget to budget, with one theme in one year's budget and another theme in another year's budget. There is no consistency whatsoever and no proper forward plan that sets priorities on a year-by-year basis as to how the government and the community will pay for our future infrastructure and service needs. There are attempts to pull a rabbit out of a hat budget after budget.

We need genuine, decent and detailed forward planning. We need open, honest, consistent and readily available measures of how well or how poorly various government services are being delivered. The previous Liberal-Nationals government pioneered that work and developed it to the point where there was an extensive set of performance measures in each year's budget papers with momentum to take it further. The current government has gutted that attempt. Whenever there is a measure in the budget papers that it does not like because it is coming up with figures that do not suit the government, the measure ends up being discontinued and some other measure is substituted. You are not getting consistency, you are not getting continuity and you are not getting honest and readily available measures. A classic example is the hours police spend on patrol versus the hours they spend in traffic enforcement. That is a very useful measure in understanding what policing services are being delivered, but it has disappeared from the budget papers.

To get things under way we need a thorough audit of the condition of our infrastructure — a baseline audit so we know where we stand, what infrastructure is in good order and what needs improvement, be it hospitals, roads, public transport, schools, water, gas or electricity. Only with a decent baseline audit, which bodies such as the Institution of Engineers have been calling for for years, can the community truly be taken into the confidence of government and truly get an

understanding of the challenges that need to be provided for.

Last, but certainly not least in terms of the core reforms I will refer to, is the need for an independent, broadbased anticorruption commission, because without public confidence in the integrity of government the rest comes to nought. In the Westminster system, both here and in England over the last 300 or 400 years, we have come an enormous way in stamping out corruption and building institutions to protect us against corruption, but we cannot afford backsliding. The price of freedom from corruption, like the price of liberty, is eternal vigilance, and we need to constantly strengthen our institutions. It is clear that the current institutions of the state are failing to tackle corruption.

We need a broadbased anticorruption commission that will become part of the institutional structure of the state alongside the Auditor-General, the Ombudsman and the independent electoral commission. These are fundamental reforms that the state is crying out for, and none of them have been delivered in the budget before the house or in the government's announced plans or intentions.

In relation to the budget let me mention one particular example of a broken promise that is letting down my local community in the electorate of Box Hill — the government's 2006 election promise to rebuild Box Hill Hospital. Since that promise was made we have waited year after year to see it delivered and asked ourselves, 'Is it going to be delivered or has the government spent the money that should have been provided for that redevelopment on blow-outs such as the myki system, the Monash Freeway or police IT systems?'

A year ago on 14 May the member for Mitcham, who is the Minister for Gaming, was reported in our local paper, the *Whitehorse Leader*, as saying that he was very confident that the government would provide the \$850 million or so needed for the hospital within the next 12 months. Regrettably his confidence has been misplaced and the government has not delivered on that promise. It put out a cryptic and obscure media release on the evening of the budget saying that it remained committed to the hospital and that it was awaiting federal funding announcements. The federal budget subsequently announced a sum of \$1.5 billion nationwide as the federal contribution to hospital projects. We now wait to see whether any share of those funds will be applied towards Box Hill Hospital or whether the community is going to continue to suffer from a hospital facility now more than 50 years old. It

cannot cope with the growing number of patients — older families and younger children — in its very run-down facilities.

This is a crucial issue affecting my electorate, and it is indicative of a range of crucial projects that have been neglected by the government across the state despite record levels of taxation and record levels of spending. The bottom line is that much money is being wasted on projects like the myki system, regional fast rail and police IT systems — or the latest one today, the integrated courts management system. If you lose \$10 million there, \$100 million somewhere else and \$1 billion on another project, you very quickly run out of the money that you need for vital projects such as the Box Hill Hospital.

Turning to my various shadow portfolio areas, a few minutes ago we heard the Attorney-General talking about the effect of the budget on his portfolio and boasting about legal aid funding. The money for legal aid provided in the state budget was one-off funding of an amount that will barely cover the legal aid deficit and that will provide no ongoing solutions to the problems legal aid is suffering from. That additional funding does not even allow for the further cuts to Victoria Legal Aid funding which may result from the Public Purpose Fund's income being cut due to the downturn in trust fund earnings, thanks to the international financial situation and possibly to changes to the duties legislation. The commonwealth also announced only stopgap funding for legal aid across the nation. The situation for legal aid remains difficult indeed. On top of that, some of the unspecified amounts of the money the government provided in the budget for legal aid is to be used for a funding review rather than for legal aid itself.

We heard the Attorney-General speak enthusiastically about the Neighbourhood Justice Centre in Collingwood. The fact that the budget provides \$26 million of funding to continue that centre's good work shows that good work comes at a high price. Other courts and tribunals could rightly claim that they too could do much more good work if they were funded on a similar level to the Neighbourhood Justice Centre. We have heard nothing from the Attorney-General about extending to other courts and tribunals the level of support he provides to that centre. But we know that across the state Victoria is suffering from some of the longest waiting lists for court cases of any jurisdiction in the nation. Unlike other states — such as New South Wales, where the situation has been getting better since 2003 — in Victoria this situation has been getting worse since 2003.

Today we saw the tabling of the Auditor-General's report on the integrated courts management system, which pointed out that that project's budget has blown out by 36 per cent and that there has been a delay of 14 months in a project that was supposed to speed up the court system. That outcome has not been achieved because of the way the project has been mishandled under the Attorney-General's supervision.

A range of other issues in the Attorney-General's portfolio that desperately need attention include tough sentences across the board for those who engage in street violence, action on bikie gangs and action to deal with remaining problems with suspended sentences, the home detention regime and court infrastructure.

In the industrial relations portfolio we have two critical problems. First of all there is the growing level of union violence, which is particularly associated with the Construction, Forestry, Mining and Energy Union and the Australian Manufacturing Workers Union. During question time in the other house today the Minister for Industrial Relations refused to unequivocally back federal government policy to keep a tough cop on the beat. The other problem concerns the close relationships between these extremist unions and ministers within the government and the way those relationships are affecting government policy.

In relation to the energy portfolio, in 1999 Labor promised reliable supplies of electricity, gas and water. It has comprehensively failed to deliver on that. It has failed to strengthen our infrastructure system to deal with extreme weather events, it has failed to achieve effective arrangements for blackouts when blackouts occur, and it has failed to boost stand-by generation arrangements. There was nothing in the budget to tackle those problems. Unfortunately this is a budget of rising debt and, at the same time, of failing services. We need dramatic reform within this state to turn that trend around.

Mr HOWARD (Ballarat East) — I am very pleased to rise in support of this year's budget, the Appropriation (2009/2010) Bill 2009, because it spells great news once again for this state and for the people of my electorate, which is of course my specific interest. Looking at the budget overall, we see that it recognises that with the global economic downturn it was very important that this state government did not reduce its spending on infrastructure. Like other governments around the world and like our federal government, we needed to ensure that we continued to boost infrastructure spending because we know that is the way you keep supporting jobs and local communities. As a result of that you get valuable

infrastructure that will benefit our communities into the future.

Being a regionally based MP, I was pleased to see that the regions of Victoria get their fair share of the \$1.7 billion in infrastructure spending in this budget. There will be significant spending across the Ballarat East electorate to produce infrastructure. That will mean new buildings at schools; improvements, upgrades and new facilities for our hospitals; and better transport. We are getting that under way in this budget with the Brumby government's \$38 billion Victorian transport plan, which is going to be of great benefit to the people of my electorate and to people right across this state. We also see significant funding for police and emergency services, which I look forward to talking about a little later.

We see further investment in water infrastructure around the state, including further funding for the food bowl modernisation project in the north of the state; funding for the Sugarloaf pipeline, which is now being completed; and funding for the construction of the desalination plant. This government recognises that at the moment two issues concern the residents of this state more than any others: the global economic downturn and the issue of ongoing low rainfall. These two issues mean that we need to work harder than ever to secure water for the people of this state. In Ballarat and across my electorate we know all about that issue of water security. We know that fortunately the Brumby government recognised this as an issue some time ago, and as a result of that it planned for the construction of the goldfields super-pipe. If we go back to the last state election, we will remember that the Liberals and The Nationals said, 'This is a daft plan. This is a stupid idea. We just need to provide Ballarat with' — —

Dr Sykes interjected.

Mr HOWARD — I am sure the member for Benalla will get his chance at some stage later, but I am having my say at the moment about the benefits of this government's planning for water across the state. We know the Goldfields Super-pipe was derided by the Liberals and The Nationals ahead of the last election. They said Ballarat needs a full allocation out of the Lal Lal Reservoir, which is presently being shared by the residents of Geelong and Ballarat.

If members of the opposition had gone to the Lal Lal Reservoir over the last year, they would have seen what a hollow promise that would have been. Under that promise Ballarat would have been out of water by now. However, I was pleased to go last month, with the

Premier, to the White Swan Reservoir to mark a year since the Goldfields Super-pipe was completed and water started to flow; and we have seen significant changes in the last year.

A year ago White Swan Reservoir or the water supply for Ballarat in total was down to under 7 per cent supply. Now we see White Swan Reservoir, which is the second major reservoir, supplying Ballarat with up to 60 per cent from the flow of the water in the Goldfields Super-pipe. The people of Ballarat know that under Labor they now have water security for many years to come; if they had made the mistake of electing a Liberal-Nationals coalition at the last election, they would have had no water now. There is a stark contrast between what would have been the case and what has happened, which vindicates why the people supported the Labor Party at the last election.

But let us look at more of the specifics of this budget and how it delivers for the people of Ballarat East. I was excited that two days after the budget was announced, on the Friday of budget week the Premier came to Ballarat to Mount Clear College, where he announced that the new maths and science specialist centre was to be constructed. An amount of \$4 million was allocated from this budget to construct the centre, so that news was well received by the college. The important thing to note about the centre is that it is not just for Mount Clear College students but that it is a state-of-the-art facility where teachers from right across the region into western Victoria, as well as students, can come to be inspired more by the opportunities in learning science and gaining greater skills.

There is a partnership with the University of Ballarat which further enhances this project, and as a former science and maths teacher I know how important it is that we try to inspire students to want to learn more in the science and maths area. We certainly need people with those skills or interests going on to tertiary education and pursuing careers in those areas. It is a very exciting prospect to have state-of-the-art facilities coming to Ballarat to enable better learning outcomes for these areas. That has been greatly welcomed in my community.

We know many other schools across my electorate are benefiting from the state government's commitment to rebuild schools across this state, and it is fabulous that the federal government, through its stimulus package, has gone into partnership with the state government to provide further funding to support primary schools. Recently announcements have been made that allocations by the state and federal governments will provide funding to Gordon Primary School, Dana

Street Primary School, Mount Pleasant Primary School, and schools at Ballan, Creswick, Langley and Malmesbury — and we know that this week the federal government announced a second tranche to its funding support, which again provided many more schools across my electorate with funding of between \$250 000 and \$3 million; that will see new projects being undertaken to benefit their school communities.

It is great to see the health minister walking through the house now, because people were excited to see \$20 million being allocated to Ballarat hospital to build a new coronary catheterisation laboratory, upgrade the maternity area and provide a women's health and children's unit, which will greatly enhance provision for those health services in Ballarat, and it was also great that Minister Andrews came to Ballarat soon after the presentation of the budget to announce that funding.

Likewise, the people at the Kyneton-Malmesbury end of the Ballarat East electorate would be pleased that the budget contained significant funding for the rebuilding of the Bendigo Hospital; so whichever part of the electorate you come from in Ballarat East — whether it be from the Ballarat end or from the Kyneton end — there are great benefits in health service upgrades, as announced in this budget.

Also of significant interest is the funding that was announced by the Premier in budget week when he visited Ballarat — that is, \$700 000 to allow for more radiotherapy treatments to meet the growing demand for radiotherapy treatment in the Ballarat area. For the area west of Ballarat there was a budget announcement of great significance, additional funding of \$350 000 over the next two years that will lead to 10 000 extra public dental service treatments to help reduce the waiting lists for public dental services, and that is something I am pleased about too.

In terms of police and emergency services, a new police station is to be constructed in Buninyong. This adds to the allocation from last year's budget of \$11 million for the construction of a police station at Kyneton. That project has since been put out to contract and its construction is about to commence. That is another great bit of news for people across my electorate.

Creswick, Ballan and Fiskville are to gain new Country Fire Authority tankers under this budget, and of course the government continues its significant support for the CFA and our local CFA brigades by providing funding to upgrade their equipment. That will help set us in good stead for future summers. Bushfires are an ongoing concern and something we need to prepare for.

In transport the return of passenger rail services between Ballarat and Maryborough has been announced, and \$27.6 million has been allocated to the reopening of that service, which will be of great benefit to Creswick as well as to Clunes and other stations between Ballarat and Maryborough, to help link them into passenger rail services that will then go on to Melbourne, or from Melbourne as the case may be.

In terms of federal support we know that under the Rudd federal government there has been ongoing significant support — and a major part of that was announced in the federal budget with the funding for the regional rail link — towards a dedicated country rail line which will go from Tarneit into Southern Cross station to ensure that rail travellers from Ballarat and Bendigo who travel on the new regional fast rail service will not be hindered as they go through the metropolitan rail network but that there is a good, steady flow into Melbourne. That has been another great announcement, and it shows the great benefit of having a great, supportive partnership between the Brumby government and the new Rudd federal government.

Also we saw funding from the federal government to support the state's funding for work on Anthony's Cutting on the Western Highway, and that will be of great benefit.

The budget does not list all of the projects that people are interested in across my electorate. Lots of announcements will be made this year as further funding is allocated from the Regional Infrastructure Development Fund, which was initiated under our government. Already I have been pleased to see that since the election, funding has been allocated from the Regional Infrastructure Development Fund. I was pleased to go to Ballan recently to announce the allocation of \$125 000 out of the small town fund, which is part of the Regional Infrastructure Development Fund, to go to the Ballan recreational reserve pavilion upgrade.

We have also announced funding of \$650 000 to the City of Ballarat out of the Regional Infrastructure Development Fund to further drought-proof Ballarat by taking advantage of water coming from the Lihir Gold Mine in Ballarat; that water will be treated by Lihir Gold but will then go through a pipeline, funded by this government, on to Lake Wendouree. Lake Wendouree will be topped up and used as a storage basin. That pipe will also go past many recreation reserves in Ballarat — along Pleasant Street in particular — and will be able to be used to provide water for those reserves.

So many announcements have come out of this budget. We will look for other announcements of allocations in the budget, such as \$5 million that has been earmarked for the Eureka Centre in Ballarat. This project recently received matching funding from the federal government and will lead to the Eureka Centre becoming part of the National Centre for Democracy. It is an exciting program that will proceed soon. The state government has committed \$2.5 million to the indoor aquatic centre in Kyneton; with an additional \$5 million from the federal government, that project will go ahead this year. There are so many great projects. I look forward to further announcements of funding being made for the Ballarat East electorate this year.

This is a great budget. It will see plenty delivered in my electorate to the benefit of the community. It will see jobs supported, and there is some great infrastructure in there as well. I am very pleased to support this budget. I look forward to continuing to work with the ministers, who continue to be receptive and listen to advice about projects that need to go ahead in my electorate. I am pleased they are continuing to deliver when the people of Ballarat and I ask them to. There is great news in this budget, as I have said. I am very supportive of it.

Mr NORTHE (Morwell) — It gives me great pleasure to make a contribution to the Appropriation (2009/2010) Bill, I think! A generic assessment of the budget will tell you it is full of assumptions. It is a budget that can be described as high taxing and high spending, with high debt. While there is a surplus, that is only because of the bailout from the federal government. In 2013 the total public sector debt will reach \$31.3 billion and will equate to \$6000 for every Victorian. There will be an interest bill of \$2.2 billion in 2013, up from \$800 million. It is estimated we will have unemployment of 7.75 per cent in 2010. From those figures alone I do not think you can say it is a great budget.

However, like a birthday or Christmas, we wait with much anticipation to see what the budget might bring to each of our electorates. I must say on behalf of the Morwell electorate that this budget is extremely disappointing. Budget paper 3 deals with service delivery and has 498 pages. When I did a search of it for 'Latrobe Valley', and I am being generous because the large township of Moe is in the Latrobe Valley although it is not in my electorate, on only 7 of the 498 pages is the Latrobe Valley mentioned. I think that is indicative of the investment, or lack thereof, through this budget.

I must say that throughout the budget there are some little wins for us. One of those is the provision of

\$1 million for the Gippsland regional infrastructure development initiative, which will identify transport links through road, rail and port to support coal-based industries in regional Victoria. Mystifying the matter to a degree was an article in the *Age* of 23 May in which a company called Exergen said there is a threat of the clean coal project that is earmarked for the Latrobe Valley moving offshore. However, it is imperative that we have adequate infrastructure in the Latrobe Valley region for coal and other industries.

The second of the seven pages I referred to talks about public transport services for regional Victoria, including fast rail services to Ballarat, Bendigo, Geelong and the Latrobe Valley. I will come back to this point with much glee shortly.

There is also mention of the establishment of a technical review board in relation to stability reports for Latrobe Valley coalmines. That is a consequence of the TRUenergy Yallourn mine collapse last year. The next page also refers to this point. The page after that refers to the Latrobe Community Health Centre in Morwell. I must confess that this \$21 million project for a new facility that is currently under construction will be really good for the region.

The next page in the budget document refers to a reform of court processes at the Melbourne, Sunshine and Latrobe Valley magistrates courts to better respond to defendants with multiple and complex problems. In those seven pages there is also reference to the number of good air quality days in the Latrobe Valley. As members can see, the cupboard is pretty bare on what budget funding has been allocated to the Morwell electorate.

I want to make a couple of other points. Emergency services have received particular assets which are very important. A rescue boat will be given to the Morwell SES (State Emergency Service) unit, and I am sure Leo Cartwright and his crew there will be happy to receive that. There are heavy tankers for the Traralgon West and Yinnar CFA (Country Fire Authority) brigades, which is very important, particularly given the scourge of the bushfires of late January and early February. In addition, Morwell Park Primary School will receive funding for and become the recipient of a 21st century library and learning centre. As members know, that is indicative of the federal money that has been allocated for that project.

A significant portion of the budget is dedicated to bushfire recovery, with \$986 million being allocated over five years. The Latrobe Valley was heavily impacted by the bushfires of late January and early

February. The community has been grateful for the enormous support from the wider community and all different sectors. However, there are ongoing concerns about a lack of communication with and information being given to those affected by the bushfires, particularly among those who are having to deal with the extensive unmet need of many people who are not eligible for the range of available grants and support mechanisms. That applies to both individuals and businesses.

We are also starting to see some issues developing over the rebuilding process, particularly those homes that are rated at the highest bushfire attack level — that is, in a flame zone. At the moment they are being advised that roofing materials are not available for them to rebuild their homes due to the fact that these materials have not been fire-tested to the Australian standard. The Brumby government changed the building regulations in March, and there have been unintended consequences as a result of that. Hopefully we can see some support for the residents through the budget in the area of rebuilding. By the same token I am very pleased, as I said, that the Morwell SES and the Traralgon West and Yinnar CFA brigades have been the recipients of some assets.

Page 9 of the budget overview is headed ‘Partnering with the commonwealth government’ and refers to the major services of health, education, housing, productivity and skills, and transport. I want to touch on some of those aspects. This is a very disappointing budget for the Gippsland region in terms of health. Much has been said about the upgrade of the Bendigo hospital and facilities in Ballarat and Geelong, and good luck to them, but the Latrobe Regional Hospital has had its fair share of issues over the last three years, and this budget does nothing to address those issues. In October last year the Australian Medical Association referred to the shortages impacting on Latrobe Regional Hospital and said:

Almost a quarter of Latrobe Regional Hospital category 3 patients suffering moderately severe blood loss, broken wrists, persistent vomiting ... waited longer than ... 30 minutes for treatment.

This is unacceptable. If you look at the *Your Hospitals* report and compare some of the statistics, you will get an idea of the worsening conditions in the hospital. It is disappointing to see a lack of commitment to it from this government.

If you were to compare the figures from January to June 2006 with those for January to June 2008, you would see that total admissions at the hospital increased by 1252. Emergency department attendances increased

by 1161 in that two-year period. The percentage of triage category 3 patients seen within 30 minutes reduced from 88 per cent in 2006 to 76 per cent in 2008. The number of patients admitted to a bed within 8 hours fell by 14 per cent — from 80 per cent down to 66 per cent — in two years. I make that point purely and simply because although the minister talks about record levels of funding and investment, and that is fantastic, what we want to see is record outcomes, not record investment in funding.

In terms of mental health, we know there are fewer acute mental health beds per capita in Gippsland than the state average, that 46 per cent of mental health patients fail to get care in the community before entering hospital, that bed occupancy is in excess of 100 per cent, that almost 30 per cent of patients are staying more than 35 days and that 90 per cent of patients are readmitted unplanned within a month. The government has put out a mental health strategy out at the moment. That is all well and good; however, we want to see an improvement in mental health services in Gippsland. All those figures I just mentioned are putting enormous strain on our mental health services and the community in general.

In terms of dental health, we still have long waiting lists for dental care. I know that in the budget there is reference to looking at measures for reducing the waiting list. The latest figures from the Latrobe Community Health Service show the reality in Gippsland. For general care there is still a waiting period of 42 months or more, and for denture care it is 28 months or more. These figures fluctuate quite dramatically from month to month because of the difficulty in attracting and retaining dental practitioners in regional areas. This is of great concern to people in our region.

In relation to education, it was great to see that Morwell Park Primary School will be the recipient of a new library facility. However, there are some concerns about the building education revolution, and factors around school flexibility and ensuring that local contractors have an opportunity to bid for work within their region.

With regard to the public housing waiting list in Morwell, there is nothing in this budget that addresses this problem. There were 77 people on the Morwell early housing waiting list in March 2007 compared to 182 people in March 2009. We have an increase of 105 people on that waiting list. There has been an increase of 205 people in two years on the wait turn list. In two years we have had an increase of 67 per cent in the public housing waiting list in Morwell alone. I

cannot see those opposite doing too much to address that issue.

Turning to policing in our region, we know that the police do a wonderful job but they are under significant stress due to inadequate numbers. I am receiving increasing numbers of complaints from the public in relation to police response times. That is not the fault of the police. There is a need to make sure we have significant numbers of police on the streets.

Last week my wife Jenny and I received a personally addressed letter from government members in the other place representing Eastern Victoria Region. I will not make disparaging comments about them, but you have to question the suitability of the literature they sent out. Under the heading 'The Brumby Labor government's 2009/2010 budget is delivering for Morwell' — it is a very short letter! — the letter talks about a massive boost to transport, with new trains, lines and stations and a health budget boost for our nurses and doctors. There is a one-liner in there that actually says, 'We're particularly excited about the funding for new modern facilities for Morwell Park Primary School'. Fantastic! That is great.

Turning to the topic of transport, at question time today the Minister for Public Transport spoke about buses. We cannot even get a NightRider bus service in Traralgon. This trial initiative has been running for a couple of months with money from outside the state government, and despite the state government committing \$2.8 million for NightRider bus services there is nothing for regional Victoria. The money is all for the metropolitan area of Melbourne. It is an absolute disgrace. We will continue to lobby the government, but it will not support the requests. The taxi rank safety program is another initiative, through the Traralgon Central Business District Safety Committee, about which we have been lobbying the government for some time. Again, it just does not want to support such services in Gippsland.

There has been discussion over recent days about the announcement of the Minister for Public Transport regarding the Traralgon to Southern Cross station V/Line service terminating at Flinders Street station. This is an absolute disgrace. It is great to see investment in Geelong, Ballarat and Bendigo, but Gippsland has been forgotten. The Victorian state transport plan allocated \$4.3 billion for regional rail services, but Gippsland gets absolutely nothing — in fact there will be a reduction in services. We will be hearing more about that when it happens.

It is all right for me to stand here delivering a speech and maybe not supporting the budget as an opposition member, but in my summing up I wish to read some notes from a couple of constituents with respect to the budget. This is a response to the letter sent out by the members of the government in the upper house. It states:

I read with interest your letter on the Brumby Labor government and the 2009/2010 budget and note what you say the budget will deliver this year.

Well our hospital situation stinks in the Latrobe Valley and unless you have got private health cover, bad luck.

...

Your government is like the Rudd federal government and Labor in other states: spend, spend, spend on useless projects with little or no planning or future benefits for Victorians.

As for record of financial management and a AAA rating, we will wait and see what the truth is when you are all out of office. It will be like in Kirner's time and the bank will be dry.

I quote from another piece of correspondence:

You may argue that money is being spent west of Melbourne due to its population. People will not settle in our area if government infrastructure is below the standard in other areas and our population will never grow to the point that a government will fund additional projects in this area. I could also be cynical and suggest that state government budgets are being spent west of Melbourne due to that area's political allegiance or that politicians including Mr Bracks and Mr Brumby are from this area.

The letter also says:

This letter included with your brochure highlights, 'The Brumby government's 2009/2010 budget is delivering for Morwell'. I'm afraid I don't see very much being delivered for Morwell'.

Ms RICHARDSON (Northcote) — I am very pleased to rise and speak in support of the Appropriations (2009/2010) Bill 2009 today. I take this opportunity to congratulate the Treasurer on producing a budget that not only addresses the challenges confronting us as a consequence of the global financial crisis, but positions Victoria as the best place to respond positively once the economic tide begins to turn.

For the present Labor has made the right call by focusing on the need to protect Victorian jobs. That is why 35 000 jobs have been created as part of this budget. For the future Labor has made the right call by focusing on the need to build infrastructure. That is why we have implemented the biggest public infrastructure spend in Victoria's history — a record \$11.5 billion to be spent on job-creating infrastructure. All this is being done prudently, based on Labor's sound management

of the state's finances during its term in office. That is why the state's AAA credit rating has been reaffirmed by Standard and Poor's and why Victorians can have every confidence that we are well positioned to avoid the worst of the tough economic conditions ahead.

For Labor, keeping unemployment as low as possible in the face of the biggest economic challenge our generation has ever seen is a very high priority. Caring for people is a cornerstone of our party, and we will not stand by and do nothing when the global economic conditions are so stacked against working people. This budget's creation of 35 000 jobs — a conservative estimate, I must say — is very welcome news indeed and does not include all the consequential jobs that will arise from this budget's record \$11.5 billion investment in infrastructure. Plenty of other commentators agree. Let us have a look at what the Victorian Employers Chamber of Commerce and Industry has said. It said:

This is a solid, jobs-focused budget.

The Victorian Automobile Chamber of Commerce said:

Most importantly, the Brumby government has done the right thing by stating its intention not to cut jobs.

The Australian Industry Group's Victorian director, Tim Piper, said the new infrastructure spending is welcome and would help stimulate the economy and industry and create job opportunities.

There you have it, Acting Speaker: commentators not known for their Labor leanings talking up this year's budget and in particular its focus on jobs. But you would expect nothing less from a Labor government. We have been rightly focused on jobs because the importance of having a job is not lost on members on this side of the house, unlike our Liberal and Nationals opponents, whose real agenda has been exposed yet again as the debate over this year's budget has unfolded.

You could say they have been caught with their pants down. Why? Because the Leader of the Opposition and the shadow Treasurer have a plan to punch a more than \$6 billion hole into the state's finances, and \$6.1 billion is an awful lot of money. It could provide Victorians with six new hospitals the size of the new Royal Children's Hospital. It is more than three times the total recurrent Victoria Police budget and more than 10 times the combined emergency services budget. Since this black hole was exposed by Labor, not once has the Leader of the Opposition, the member for Scoresby or any member opposite said anything to alter their position. Their plan to freeze taxes and charges

will slash over \$6 billion from the state's revenues over the forward estimates period.

This will have a direct consequence for jobs. If those opposite ever got their hands on the state's finances again, how would they try to balance the state's budget? They would do it by sacking thousands of teachers, police and nurses. At least 5000 nurses, 1000 doctors, 5000 police, 50 transit police, 4500 teachers and 1000 kindergarten teachers would have to get the chop under the Liberals' plan. They have form on this agenda. Under Kennett 10 000 hospital staff were sacked, 9000 teachers were sacked and 800 police officers lost their jobs. The cuts went deep into country communities in particular, and The Nationals stood by and let absolutely all of this occur on their watch.

Now they have a plan to do it all again. The opposition's jobs plan and Labor's jobs plan are diametrically opposed. Labor's plan delivers 35 000 additional jobs, and the opposition's plan sees 16 500 Victorians, at a minimum, out of work. The loss of 16 500 Victorian jobs will not be enough to plug the \$6 billion hole in the state's finances. The Liberals are finally going to have to come clean on what other planned infrastructure building they will also scrap as part of their frightful vision for Victoria.

No doubt first in their sights will be Labor's plan to modernise every state school across Victoria. This program has resulted in much-welcomed funds being allocated to schools in my electorate such as Alphington Primary School, Northcote Primary School, Wales Street Primary School, Northcote High School, Fairfield Primary School et cetera, but all the remaining schools across the state will be left stranded if the Liberals have their way.

The state and federal Labor governments' investment in our schools and our children's early years totals over \$6.4 billion. This includes \$2.9 billion for the state government's Victorian schools plan and the federal government's Building the Education Revolution.

Labor has a plan to modernise every school across the state and upgrade over 500 schools by 2010, but we all know what will happen to the remaining schools post-2010 if the Liberals are back in charge of our state education system in Victoria. They have form on this. When the Liberals were last in power not only were 9000 teachers sacked but countless schools were closed across Victoria, and we all know the Leader of the Opposition made a tidy profit from those closures. To this day the Leader of the Opposition has not apologised to the people of Victoria. He can see no

problem with what he did in the past. That is why, in my view, education will be targeted first and foremost by the Liberals if they come to power in Victoria.

In health, what a breath of fresh air it is to be working in partnership with the federal Labor government. Labor will deliver \$2.6 billion to improve health services in Victoria. This includes \$850 million to tackle waiting lists in Victoria, \$350 million to treat an extra 39 500 patients every year and \$45 million for over 9000 patients waiting for elective surgery. In my electorate PANCH health service will receive additional funds to improve its breast screening services as part of a \$10 million program being rolled out across the state. On top of this, hospitals around the state are being upgraded in Geelong, Sunbury, Bendigo, Warrnambool, Alexandra and Dandenong, and the much-welcomed Parkville comprehensive cancer centre has been announced as part of this budget.

Each and every one of these initiatives and each and every one of these hospital building programs will be scrapped to plug the opposition's \$6 billion black hole. Again the Liberals have form on this from when they were last in power in Victoria. Public transport users will also feel the sting of the Liberal Party's plan to rip a hole in the state's revenues. Labor's \$38 billion transport plan to deliver new network services, new trains and new buses will have to be scrapped. Contrast the closure of country rail links when the Liberals were last in power with Labor's plan to extend the Epping line to South Morang and the electrification of the Sydenham line to Sunbury. Public transport users in my electorate have particularly welcomed the 20 new metropolitan trains to ease congestion across the network.

Since 2005 over \$4 billion has been spent to strengthen our communities and target services directly to those most disadvantaged. For instance, in this year's budget \$135 million will be spent to improve the quality of care for children who are unable to live with their parents or extended families. Over \$84 million will go to mental health initiatives, \$68 million will go to create new opportunities for people with disabilities, and \$26 million will go to the Neighbourhood Justice Centre in Collingwood, which the Deputy Premier was referring to earlier today. Who in the Liberal Party ranks will be there to champion those most disadvantaged in Victoria when they slash and cut services across the state?

Families in my electorate have also welcomed Labor's announcement of a boost of an additional 4000 kindergarten places across the state. We have seen a mini baby boom in my electorate, and the current

services are struggling to meet demand. Labor has responded to that need in this year's budget with a very welcome initiative indeed.

Yarra Bend Park in my electorate has also received an additional \$2 million to improve and maintain this wonderful inner city parkland on the banks of the Yarra River. Cyclists have also welcomed the funds to complete the pipe bridge across the Merri Creek near the St Georges Road roundabout, which will make it easier for cyclists travelling along the north-south route across my electorate.

Labor is rightly proud of this budget. It is a budget designed to meet the tough economic conditions ahead. It is a budget with a plan to create over 35 000 jobs and deliver a record spend on public infrastructure. It is a plan that receives the thumbs up from Standard and Poor's because it builds on Labor's prudent and responsible management of the state's finances.

Let us not forget that when the Liberal Party was in government it refused to do anything in respect of taxes and charges, unlike Labor now that we are in government. It has been Labor that has cut \$5.5 billion in taxes and charges since coming to office. This includes the abolition of eight state taxes. The Treasurer has made it plain that we will continue to reform the state's taxes once conditions allow. To do otherwise or to do what the Liberals are proposing would be simply risking too much. It would risk Victoria's competitiveness compared with other states, risk jobs and risk services.

Members opposite would do well to remember that Labor's financial management has in fact resulted in Victoria having the second lowest number of taxes of any state, and its revenue as a proportion of gross state product is around the national average. If we also include royalties as part of each state's revenue, Victoria levies the lowest taxes of any state in Australia. All of this would be at risk if the Liberals were ever back in charge of the state's finances.

Honourable members interjecting.

The ACTING SPEAKER (Dr Harkness) — Order! The members for Bulleen and Albert Park will not have a discussion across the chamber. The member for Northcote, to continue without interruption.

Ms RICHARDSON — It is little wonder that members opposite flap around on issues concerning the budget. Victorians deserve better and it is about time that members opposite came clean in respect of their plan to cut services, slash jobs and take away Victoria's chances of being well positioned as the incoming tide

turns. I also urge members opposite to have a think about what is being said about this budget, not just by independent commentators around our state but from commentators in other states as well. The New South Wales Liberal shadow Treasurer, Mike Baird, recently said:

The Victorian budget is the benchmark that other Australian governments should follow. It's not perfect, but they have been able to deliver infrastructure, cut lead times and control expenses growth in trying circumstances.

They have been trying circumstances indeed, but the budget is designed to meet the challenges ahead. I commend the 2009–10 budget to the house and wish it a speedy passage.

Mr CRISP (Mildura) — On 5 May the Treasurer presented the state budget. Now that the dust has settled not much has changed for Mildura since that day. We are well on our way to a \$31 billion state debt and 200 000 people being unemployed. The budget has put every Victorian \$6000 in debt. What has the Mildura electorate got for its \$6000? Very little or nothing. Perhaps there would be some comfort if the type of debt were good debt. We all know there is good and bad debt. Good debt allows asset acquisition or improved economic circumstances. I see little evidence of any upside to the debt that this budget — —

Mr Nardella interjected.

The ACTING SPEAKER (Dr Harkness) — Order! The member for Melton!

Mr CRISP — Referring to the budget overview map of the Loddon Mallee region, all we see of the marvellous north part of the state for Loddon Mallee is Bendigo, Bendigo, Bendigo, Bendigo, Castlemaine and some rail. There is more to northern Victoria than Bendigo or Castlemaine. There are a lot of other people living there, and we have long disagreed with the Loddon Mallee concept being a single area. It should be both Loddon and Mallee to ensure that the northern part of Victoria gets its fair share.

What we got from the budget announcements were mainly just reannouncements of other material. I refer to a media release by the Minister for Roads and Ports entitled 'Industry and freight package to help secure local jobs'. Towards the end it talks about the Labor government providing regional airports with \$20 million for upgrading but that has been well and truly taken care of in Mildura. In the previous year the Regional Aviation Fund was used to upgrade Mildura Airport. Again that is not in this budget. It also provides \$7.5 million for local roads across regional Victoria.

That is not going to go far towards improving country roads. As we know, if you fix country roads, you save country lives. There is also \$55.1 million in the budget for ongoing maintenance of some rail lines. That too was mainly taken care of in the last budget.

In relation to extra road funding, what we really need is for the section of the Sunraysia Highway through Tempy, Speed and Turriff to be upgraded. Year after year the Australian road assessment program, or AusRAP, study shows this to be a dangerous stretch of road. This work needs to be done, but again there has been no commitment by the government. Instead, there is just \$7.5 million across all of Victoria. For those people who are worried about that road, there is not much hope.

In terms of the \$55.1 million for ongoing maintenance of gold and silver rail lines, there is one silver line in my electorate: Ouyen to Mildura. It is closed. A silver line under the specifications is closed. It is meant to be upgraded and the promise has been there. It is meant to be happening now but nothing is happening and the people along that line are becoming very concerned. Their concern is that if this is not upgraded in the near future, it will affect the coming grain harvest and the ability to attract buyers. We have a deregulated grain market. Buyers will only post prices at silos if they are confident they can move the grain economically and effectively. That grain cannot move economically and effectively from the far north of the state without that rail line.

With the upgrade of the Mildura line, the spur line out to Murrayville is ever so important. The rumours abound about its future. I call on the minister to assure those people that this work will be done. Rumours abound that we are running short of red gum sleepers. On one hand the government is saying, 'We need red gum sleepers', while on the other hand it is up red gum with the Victorian Environmental Assessment Council proposal. A number of areas in the Barmah Forest and a number of mills provide red gum sleepers. What are we doing? It does not make sense, but the minister needs to honour her promise that somehow the rail work will be done.

I will now talk about another aspect of the rail service, the Mildura passenger service. The minister has indicated that there will be a feasibility study. I call on the minister to get the terms of the feasibility study out there for everyone to see right now. Mildura is 571 kilometres from Melbourne. The track has been rehabilitated so that it is suitable for speeds of 80 kilometres an hour or more, well beyond the 50 and 60-kilometre an hour limits that existed. The most

damning evidence about Mildura with its rail line is the other centres that have received rail upgrades and services.

The community of Ararat, with a population 7200, had its service returned in July 2004. Bairnsdale, with a population 11 500, had its service returned in May 2004. Service for Maryborough, with a population 7990, is planned to return in 2010. What about Mildura, which has a population of 58 499? When will it ever return? That does not make sense. This government continues to ignore the needs of Mildura. If you add all the other centres on the line it is a 70 000 person catchment compared to the other destinations. It is feasible to reconsider that. The feasibility study needs to be undertaken with the terms of reference made transparent so the people of Mildura and other interested people can look at it and get on with the job of convincing the minister there is a case.

Mildura Base Hospital has been overloaded and overcrowded for many years. There has been a much-talked about upgrade for accident and emergency services, midwifery, post-op and accommodation for skilled workers. The accident and emergency area does need to be twice as big as it currently is. The baby boom was mentioned in the debate today, but Mildura is approaching 1000 births a year and they have to cope in a facility that was designed to carry much less. It is supposedly being designed; it has been talked about, but there has been no action. That produces constant elective surgery postponement to the frustration of so many people in Mildura.

Sunraysia Community Health Services has a building program to consolidate all its services on one site. Stage 1 is under way but the service requires the rest of the funding. It has to come forward so that the service is assured of getting its facility on one site and not spread out, which would cause service fragmentation. For those who cannot get the services they need from VIPTAS (Victorian isolated patient transport assistance scheme) and have to travel, a pitiful amount is offered. Still that does not get moved up in the budget.

The member for Northcote talked about the wonderful health services she has with her facilities, while that is great for her constituents, but my constituents cannot afford to access them. That is not good enough. If you cannot have the health facilities in Mildura you must provide a service that allows people to get to where the services and facilities are in Melbourne. VIPTAS needs to improve considerably.

Much has been talked about cooperative federalism, which has caused so much discussion from the other

side of the house and so much pain in my electorate. When the federal and state governments work together it ought to be something wonderful; it ought to be constructive. The Minister for Education believes this but the reality on the ground is different. The pressures that the Building Education Revolution (BER) and the plans for Victorian schools put on communities in the last 3 to 4 months has been horrendous in country areas.

The time line for communities to make those decisions in the early part of the year was horrendous. There were hidden agendas with the merging of schools, which is closure by stealth and communities were forced to make decisions. I had people in my office using terms like 'blackmail', which I did not believe. However, when one after another came in and told me they felt they were being blackmailed into closing their schools and merging with other schools so they could access the Building Education Revolution money but were then told that the Victorian school funds to rebuild their schools would not be available as promised, it was beyond belief. All BER has done is to start a revolution in my community over the pain everyone has been put through.

There is also a suspicion about how the building contracts will be awarded and about how much the state will get out of this in management fees to help its budgetary situation, because the commonwealth has routed the funds through the state government regional offices and then on to works programs. The involvement of regional offices in the BER program in the schools in my electorate remains unresolved in the community. Builders are concerned about their ability to access that part of the money. It is supposedly a 1.5 per cent management fee and we need that confirmed and made transparent.

Technical and further education fees are causing anxiety. TAFE is a wonderful resource for Victoria; however, the recession is causing job changes and the government is charging people at this very time when things are changing in our communities. On top of that you have the implications of the federal youth allowance changes. We have enormous anxiety amongst people who want to support their lives, change their lives and improve their lives through education.

On water, there is plenty of money for a pipe to Melbourne, but no state money for pipes around Mildura. The federal government put \$103 million on the table a year ago as part of a partnership offered to Victoria but so far Victoria will not match that offer. The planning minister describes Sunraysia as prime horticultural land. The water minister allows prime horticultural land that is of so much value to Mildura to

be served by an outdated and vintaged distribution system. High population densities and open channels do not mix. The near drowning of a 23-month-old child last week stands as a very salient point in this area.

The irrigation infrastructure policy is an absolute mess for country people to sort out; they are confused over this. We have prime land, we have open channels, we have the federal government buying back water and we have stressed horticulturalist who do not know what to believe, who to believe or what to do. They see a government that is being hypocritical in its approach to them, and it is costing them their livelihood.

The fire services levy is an ongoing problem in country Victoria. There is much disquiet over the fire services levy, particularly as a component of the tragic bushfires this year. This will wash through into higher premiums. Land-holders are concerned there might be a more serious fall-off, with people choosing not to insure. If more people are not insured, those who remain insured are going to pay more. We need to address the fire services levy. Presently it is essentially a tax on insurance premiums to fund fire services, including the Country Fire Authority. That means that people who insure their homes against fire pay for those who do not. This has been a very sore point for a very long time, and it is causing great consternation. Fire services levies pay 80 per cent of the cost of running the Country Fire Authority, the Metropolitan Fire Brigade and the State Emergency Service. The new fees from July are expected to increase the fire services levy to 26 per cent on households and 68 per cent on businesses in country Victoria, whereas Melbourne premiums will stay the same, because of the impact of the fires.

There is currently a very strong disincentive to insure, and it is causing that differential in how people feel. Land-holders also pay for what they believe to be the poor fuel management policies of the Department of Sustainability and Environment, at least in part. We will not get a change until those who have the responsibility for managing the risks actually pay for the consequences when they occur. Land-holders pay very dearly for DSE's mistakes, and they feel very strongly about it.

Finally, looking back, Mildura has been in the grip of drought. The drought funding work that has been done has been of value and will need to continue. Mildura has had some reasonable rains in the last month, but it rains hope and not money, and that is the hard part. The rains are easing some of the drought. There are possibilities for the dryland farmers and grain growers, but for irrigators the stress remains. There will be a

need for ongoing support programs to continue. It will be a long recovery phase for dryland farmers and an even longer one for horticulturalists. If they are going to replant and recover, they will need ongoing support well after the drought has broken. It is a disappointing budget for Mildura. Residents hoped there could have been more for them in the budget. It is a budget that Victoria will pay for in the future.

Ms GREEN (Yan Yean) — It is with great pleasure that I join the debate on the Appropriation (2009/2010) Bill. I was really pleased about a month ago to see the Treasurer welcomed into this chamber from another place to deliver a very forward-looking budget by the Brumby Labor government, delivering strong leadership in tough global times to see Victoria through and to build for recovery. The state budget delivered by the Treasurer demonstrates that the Brumby Labor government is taking action to deliver jobs now and to support Victorian families through this difficult period.

The state budget shows that the Brumby Labor government is investing responsibly to help families through the global financial crisis in a number of ways. We have not forgotten social services. The budget has shown a record investment in social services to provide a social safety net for Victorians, which is particularly important during difficult economic times.

Importantly, unlike the what happened in the last decade during the tenure of the Howard Liberal federal government, we now have a Labor state government that is able to work shoulder to shoulder with the Rudd Labor federal government to make the right investments to see Victorians through the global financial crisis and to partner important infrastructure projects in the transport area and in education.

This year's budget is all about securing jobs and investing in the services that matter to Victorians. There is a record infrastructure spend of \$11.5 billion to fast-track job-creating infrastructure across the state. We have been part of a government that has been committed throughout its tenure to increasingly spend in infrastructure. During the seven dark years of the Kennett government, the average infrastructure spend was less than \$1 billion; it was only \$900 million per year. Early in our tenure we doubled that, and in recent years we have been averaging over \$4 billion a year. This \$11.5 billion will not only deliver great infrastructure that will set up Victoria for a great future but also take up the slack in private sector investment which has been affected. This injection in public infrastructure will keep Victorians in jobs. Representing an electorate such as Yan Yean, which has among the

highest proportions of tradespeople in the state, I welcome that.

Almost \$1 billion has been set aside in this state budget this year to help Victoria respond to and recover from the worst bushfires in Australian history. I have spoken many times since that terrible day in February about the impact that has had on my electorate, in particular in the localities of Whittlesea, Humevale, Kinglake West, Strathewen, St Andrews and Christmas Hills. The families in those areas are really going to benefit from this \$1 billion investment, and they are going to need assistance long into the future. The investment in education in this year's budget of a record \$1.71 billion prepares Victorians for the jobs of the future, and not just through primary and state education but, importantly, through vocational education.

Something else very close to my heart — since I have represented two growth corridors — is the \$3 billion put towards the first four years of the \$38 billion transport plan, which will create a world-class transport system for Victorians. A pivotal part of that has been the \$562.3 million set aside for the heavy rail extension to South Morang, which I will talk about in more detail later.

Health has always been something this government has taken great pride in, and there is \$2.6 billion in this budget set aside for health projects to boost Victoria's hospital and health services. Another highlight is the additional \$1.9 billion being provided to Victoria Police to provide police with the resources to keep Victorian families safe. I am pleased to see that since the bringing down of the state budget, last week's ABS (Australian Bureau of Statistics) statistics on crime show that Victoria is still the safest jurisdiction in Australia. However, that area always needs work. The community and both sides of politics need to support the chief commissioner, and there is also the need for resources and policing. So that is a good investment.

In particular that investment will mean some upgrade work — small refurbishment and maintenance works at both the Epping and Whittlesea police stations. I would like to commend the work of Victoria Police during the bushfires of February and since, particularly those police who were based at the Whittlesea police station. They did a fantastic job and deserve some improvements to their workplace.

In relation to health my area has always done very well, with the Austin Hospital, the largest public hospital project ever in this country, and the Mercy Hospital for Women serving half of my electorate, and the other half served by the Northern Hospital, which we have

upgraded three times since we have been in government.

Importantly, women in my electorate will benefit from a share of \$10 million to go into private BreastScreen services at the Epping consulting centre to fight this terrible disease. It is one that has afflicted my family: my mother has during this term been treated for breast cancer. I am pleased to say that she is in good health now, but it is a disease that has been brought home to our family, and this additional investment will help women threatened by this terrible disease and their families.

In relation to education, as I said earlier today I have been particularly pleased about the number of projects that have been allocated funding, some as stand-alone allocations from the Victorian government and some in partnership with our federal counterparts. These include the rebuilding of the Strathewen Primary School, which was destroyed in the terrible fires, and an upgrade of the Apollo Parkways Primary School, where a wing of the school was damaged by fire last year.

That school has really come together with a great plan to come back from that terrible event and build some great new facilities, and the money that has been allocated this year will mean the school can get started on that very quickly. Meadowglen Primary School will receive \$3 million; Diamond Creek East Primary School, \$3 million; and Panton Hill Primary School, \$850 000. Sacred Heart Primary School at Diamond Creek will also receive a new library and classrooms at a cost of \$2 million.

Earlier I mentioned the Victorian transport plan. I was pleased to see in last year's budget that over \$10 million was allocated to a detailed scoping of the necessary works for the duplication and extension of the rail line from Epping to South Morang. I was very pleased that the Premier came out during the week of this year's state budget to personally announce the extension funding to the community.

It really is a very extensive project, which will have grade separations, a rail overpass at Dalton Road, road overpasses at Pindari Avenue and Civic Drive, and a new station at South Morang, which will have parking for 500 cars, be integrated with the many local bus routes that service the area and include a safe drop-off area, a taxi rank and a bike cage, allowing local residents to ride their bikes to the station and have them secure while there. The station will be located immediately next to the Westfield shopping centre, which will mean there is a great service there.

The project will also duplicate the line between Keon Park and Epping and will involve the construction of 3.5 kilometres of new double track from Epping to South Morang. Our commitment in earlier years had only been for a single track, so I am delighted that we will now see 3.5 kilometres of a new double track, because that will offer some certainty in terms of the ability to extend the line beyond what is proposed in this current project to the growing communities of Mernda.

The design that is proposed, which will be dropped below McDonald's Road, will mean that when funds become available in the future — and I hope that is the case — this current project of \$562.3 million will easily be able to continue further along that corridor. In the meantime I was delighted to spend time with Dysons bus company last week. It is a great local employer and one of the biggest serving my electorate. Only on Monday this week it announced a fantastic new bus service which will connect into that rail corridor at South Morang and go up through the Mill Park Lakes estate, through the new estates along Plenty Road and into Mernda and will utilise the new bridge across the Plenty River — it will connect Mernda and Doreen for the first time.

The bus will continue over that bridge and service the Laurimar estate and the Mitchells Run estate. I happen to live in that estate, so I know that my teenage son is going to be pretty rapt that he will now be able to get directly to his study options at Northern Melbourne Institute of TAFE. Also many other students and young people will be able to access a range of employment and education options, because that bus not only goes down to Greensborough station to connect young people into the various education options along there and NMIT in Greensborough but it also goes down to La Trobe University. I should have said that at the other end in South Morang the bus continues down to University Hill, into RMIT and connects with the no. 86 tram. It really is an example of the many bus investments that are part of the Victorian transport plan.

The budget focuses very much on jobs and the major projects in my electorate, like the Donnybrook freight hub, and it will deliver thousands of jobs, assist with the better movement of freight and reduce congestion.

We have an expectation that the wholesale fruit and vegetable market will be up and running soon. It is attracting a lot of investment into that northern corridor along the Hume Freeway and into the city of Whittlesea, and local investor the McMullin Group, which is building a private medical facility, one of the best in metropolitan Melbourne, opposite Northern

Hospital and also has its business park along Cooper Street, has said time and again that it has been the investment in public infrastructure that has driven its investment and the investment of many other private businesses in the area. I am sure this budget will do the same.

In conclusion, I am pleased to support the appropriation bill and the state budget delivered by Treasurer John Lenders. We let him come into this chamber to deliver the state budget, and it was delightful to have him here, because it really is a budget that delivers and makes Yan Yean the best place to live, work and raise a family.

Mr MORRIS (Mornington) — It is a pleasure to join the discussion on the Appropriation (2009/2010) Bill, which is the centrepiece of the state budget and arguably the most important bill that we debate during the course of the year.

This is a budget presented at a time of great uncertainty, not only in the state of Victoria but across the world, yet it seems to cling firmly to the notion that we can actually spend our way out of an economic slump. However, it remains silent on intergenerational equity, and it is basically a spend now, pay later budget.

Victoria is an enthusiastic participant in the world economy. We are no more isolated from the events that have engulfed our trading partners than we could ever be from the other states in the commonwealth or from national events.

The approach of governments and central banks across the globe to the recent crisis has been very different — thankfully so — to the approach taken during the onset of the Great Depression. The approach and the accepted wisdom of the central banks in those days was to contract spending, raise taxes and raise tariff walls. As a consequence employment collapsed around the world. The response this time could not have been more different. Governments around the world frantically primed the pump, and this budget is no exception. To what effect, we will just have to wait and see. In a budget, as in an economy, there are many yardsticks, such as interest rates and GDP (gross domestic product), or in this case gross state product, and each will tell a slightly different story.

Last week we saw much self-congratulation and backslapping by the Rudd government. It was backslapping that was echoed by the Premier and others in the Brumby government. The national GDP had actually risen by 0.4 per cent in the March quarter, despite what we know has happened in the rest of the

world. Of course that was all because of the stimulus package.

There was a useful article in yesterday's *Age* entitled 'A beautiful set of numbers can only tell part of the story' by the economics editor, Tim Colebatch. He explained very clearly that there are actually three different data streams that can measure GDP. There is expenditure data, which is essentially consumers, investors and government — the expenditure of all; incomes data, which includes things like waivers and profits; and production data, which is pretty self-explanatory.

On the basis of the expenditure data, over the six months to March GDP rose 1.5 per cent for the half year. On the basis of the income data, measured at current prices, GDP for the six months to March fell by 1.3 per cent. On the basis of the production data, the figures are even worse — a 1.5 per cent drop over the six months.

There are other indicators that are perhaps far more effective in conveying the actual impact on people. When we are talking about economies we need to remember that we are actually talking about people, we are not simply talking about bald statistics like growth. The actual number of hours worked in the March quarter dropped by 1.2 per cent. The national unemployment rate, the number of persons unemployed in the country, rose by 18 per cent — 100 000 more people are now unemployed than at Christmastime.

Surely unemployment is the most fundamental economic indicator of all. On the basis of that indicator we are in a recession. It does not matter how you fudge the figures; we are in trouble. That bottom line — the unemployment rise — is reflected in the state budget. It is expected to rise to 7 per cent over the budget year. By 30 June 2010 an extra 70 000 Victorians will be out of a job. By the end of the forward estimates period it will be 7.75 per cent, and on that basis this budget and its federal counterpart are undoubtedly failures.

What does business think of the future? What does business think of the activity that has been occurring? According to the Dun and Bradstreet expectations survey that was released yesterday, the employment and capital investment indexes both fell further into negative territory in the March quarter. The employment index was down four points and the capital investment index was down two points.

The outlook for September — the outlook into the budget period — is for capital investment to be down again. Spending is expected to decrease substantially, with 47 per cent of firms expecting lower sales and

53 per cent expecting lower profits. But most critically the employment indicator remains in deep negative territory, and 24 per cent of firms expect to cut staff further in the September quarter. That is what is actually happening in the real world.

It is also instructive to look back at what has happened since 1999. Victoria's share of export income has dropped from 20 per cent in 1999 to 9 per cent this year, a drop of more than half. Our share of national business investment is down from over 25 per cent in 1999 to 18 per cent today, down almost one-third. Last year Victoria was the only state that actually lost jobs, which is the first time it has happened since Joan Kirner was the Premier of Victoria.

Public sector debt will increase tenfold in the period to 2012–13. In that year the interest bill is forecast to be \$2.2 billion, which is four times what we spend on the Department of Primary Industries, four times what we spend on running the Department of Planning and Community Development or the Department of Premier and Cabinet, and twice what we spend on running the Department of Sustainability and Environment. To put it another way, you could run DPI, DPCD and DPC and have \$549 million left over. That is the practical impact of running us into debt.

While I am on the subject of departmental votes it is interesting to note the incredible difference between a consumer price index rise and the increase in gross spending. The Department of Education and Early Childhood Development is up \$630 million or 9.2 per cent; the Department of Human Services is up \$945 million or 9.6 per cent; and the Department of Transport is up \$992 million or 21 per cent. Overall we are spending \$3533 million more than was allocated in the 2008–09 budget — 11.3 per cent more. Contrast that with a CPI forecast of 2 per cent. Had government spending risen in line with CPI, there would have been an extra \$625 million available. On that basis this budget represents an overspend above CPI of almost \$3 billion.

Mr Nardella — What would you cut?

Mr MORRIS — There is only one place the money can come from, and that is out of the taxpayers pockets.

The budget is long on rhetoric but short on answers to both the immediate challenges that face the state and the long-term outlook. The government has a plan for everything and a solution for nothing. The sole intent of the budget is to stimulate activity to make the figures look good and to make the government look like it is actually out there doing something.

Despite the rhetoric and despite the plethora of plans in this budget there is no vision, no leadership, no inspiration and no clear statement about what sort of a future this government wants to build for Victoria. The budget is simply a ragtag collection of pork-barrelling and politically expedient stunts not a budget designed not to build a strong, vibrant, secure and outward-looking Victoria. The only objective of this government is to cling to office in 2010 and damn the consequences.

Members often take this opportunity to talk about local initiatives and the impact the budget is having on their particular corner of the state. That is not going to take me long because the budget was completely silent on any initiatives in Mount Eliza, Mornington, Mount Martha or Moorooduc. The only mention we got in the budget was for an unfunded freeway.

The outer metropolitan area is facing enormous pressure. Indeed, it is already under enormous pressure. Road construction and reconstruction has virtually ground to a halt. Many suburban roads are now carrying far more traffic than their design capacity allows. Roads like Bungower Road, Mornington-Tyabb Road, Bentons Road, Racecourse Road — all in Mornington — and many others can barely cope with their load, and yet Mornington is expected to accommodate many thousands more residents in the immediate years ahead. That is a pattern which is repeated across the state.

How is Mornington faring on the health front? Of course the Mornington district is essentially served by Frankston Hospital. The most recent figures available up to September 2008 show that almost 2000 people were on the waiting list for elective surgery, 1400 of them were waiting for semi-urgent treatment, and only half the patients on the semi-urgent list were seen within the target time of 90 days. People continue to wait in pain on trolleys in the emergency department. I mentioned a recent example of that in the house a couple of weeks ago. People continue to wait — if the ambulance can find a slot for them to get to the hospital in the first place.

I need to say, and I always do say, that the staff at Frankston Hospital does a fantastic job. The poor performance of the hospital is entirely down to the level of resources provided by this government. It is the government that is ultimately responsible for the total breakdown of the functional process at Frankston Hospital. Week after week after week we hear that record amounts have been spent.

An honourable member interjected.

Mr MORRIS — I have good news for you: it is not about how much you spend, it is about what you actually deliver, if we can trust the figures. I want to remind the house of comments made by the Auditor-General in a report about hospital data tabled on 1 April. The report found there were significant problems in reporting hospital performance, including data inaccuracies, data manipulation and poor quality control processes. A media release from the Victorian Auditor-General's Office quotes Mr Pearson as saying:

This is a serious situation, and raises questions about a key aspect of the governance and accountability framework overseeing health system performance.

The media release goes on to say:

The report also found that declining performance in emergency department waiting times is not clearly presented in the *Your Hospitals* report.

I am almost out of time, and I have not even started on the catalogue of disasters, the fiasco, the train wreck that is the planning system in Victoria, and nor have I started on the public transport system itself or local government. However, I will say briefly that local government continues to be the victim of cost shifting across the board. Some cost shifting is subtle, like the push in home and community care services or the push to get local government involved in public housing. Other cost shifting is not so subtle. You do not need to look very far to see who will be paying for this overhaul of the local planning system which will deprive local councils of the right to plan for their own areas. It is not the state government that will pay but the ratepayers in the affected municipalities.

The other local government issue is that the jury is out on the ability of Local Government Victoria to provide the necessary support to councils in the area of compliance. The Ombudsman's report into the Brimbank City Council made it very clear that Local Government Victoria lacks the resources to provide the necessary oversight function it has historically provided. The government claims to have addressed the issue, but I guess we will have to wait and see.

To conclude, this budget is bad for business, bad for investors and bad for the Victorian community, and it will lead us deeper and deeper into debt. It is a perfect example of what this government really stands for. As I have said, it is a government that has a plan for everything and a solution to nothing.

Ms DUNCAN (Macedon) — Thankfully most economists do not agree with the member for Mornington. He is pretty much singing on his own out there with his assessment of the state budget. If he cared

to read the reports of any of the commentators on this budget, he would appreciate that everything he has just spent the last 10 minutes saying is basically contradicted by them. I am pleased to support this state budget. In fact I have been very proud of all of the budgets that the Bracks and Brumby governments have delivered over the nearly 10 years we have been in office. Each budget is different because each budget reflects the differences in the times, in the economy, in the situations we face and in the job that needs to be done.

A budget is a good way, in my view at least, of looking at what sorts of priorities a government holds dear to it. In all of our budgets I think it has been pretty clear that we have a very strong commitment to addressing social disadvantage across the state. We have a very strong commitment to delivering and improving education, and to delivering and improving on health services and on community safety and resilience. This budget continues those themes in a very positive way despite our being in the worst economic downturn we have seen since the Great Depression.

I will quote from an article that I know has been quoted from in earlier contributions by members on this side. It was not quoted by opposition members, who try to pretend these positive reflections on the budget do not exist. On 9 May this year the *Australian* reported:

In the Victorian budget, Lenders performed an impressive three-card trick: he increased capital spending, cut costs and preserved the AAA. All this in the face of a collapse in state revenues ...

That is something you do not hear often in contributions from opposition members. In fact, from some of the contributions I have heard you would not believe there was any economic crisis facing governments across the world. Opposition members simply refuse to acknowledge that these are the conditions in which this budget has been framed.

I was a little confused when the member for Mornington started off his contribution by making the statement — and I am paraphrasing — that this government thinks it can spend its way out of this crisis. The International Monetary Fund happens to agree with us about the best way to deal with this economic situation, and every developed country in the world is approaching the crisis in a very similar way. Of course we do not all start from the same base, but the approach is fairly common across developed countries. The member for Mornington went on to say that the approaches from economies around the world were in contrast to the way these crises were responded to back in the days of the depression. I am not quite

sure what his point was; he criticised us for responding in this way but also acknowledged that this is the way major economies are responding and that it is, gratefully, in contrast to previous responses when we have had similar situations across the world's economies.

In contrast, what we have from opposition members again is a lot of opposition, whingeing, carping and contradicting, saying, 'You don't do it this way', without ever offering any alternative positions other than what they think are a number of things they would and would not do, which, as I understand it, at this stage total \$6 billion in unfunded promises.

We know there is only one way that you could deliver on these sorts of promises, and that is by cutting jobs and services. We have seen this from the opposition, and we have often seen it from conservative governments, which actually do not like government at all. I always wonder why they would bother to be part of one when they really think that governments should not exist and that if they do exist they should have the smallest role possible and that things should basically be left to market forces, with a very small safety net for those who absolutely cannot fend for themselves.

But we know the opposition has a laissez-faire approach to economies, so it is not surprising that it would see a lot of the investment the government is putting in as a complete waste of money. This government's approach is in contrast to what the former Kennett government delivered, and we know that is what the opposition would do again if given half a chance.

It has also been said by a number of others — I have heard it from a number of the members of the opposition — that this government is riding on the coat-tails of the commonwealth. It is a pretty extraordinary statement when you think about it. We are meant to be a commonwealth. We acknowledge that we have a common wealth, we have a common interest and we have a shared vision. It is not surprising that we would work with a government that has a shared vision and sees and prioritises the same things as we do.

We are seeing record investment and huge levels of cooperation between the commonwealth and this government. It is something we are very, very proud of. We are not trying to take the credit for the commonwealth. I know absolutely that for every dollar that has been allocated to my electorate from the federal government we have very happily acknowledged that is funding from the federal government, working in

cooperation with us, because we have a shared vision and shared priorities.

The federal government's and our priorities align in so many areas, as one would like to think would be the case with two Labor governments. That seems to be a situation that is so foreign to the opposition that it cannot believe it could actually work. We know how difficult it was to get any cooperation under the previous federal government. That was because the Howard government did not want to do anything too much for the states because Mr Howard was trying to knock off all the state governments — so it was going to be very difficult for him to do much that would allow state governments to deliver on the services that they needed to deliver on by keeping up his side of the funding arrangements.

Whereas previously there had been 50-50 funding arrangements under the Howard government, they declined to such an extent that certainly Victoria was having to pick up more than its share of lots of these sources of funding. In many areas we were contributing over 60 per cent to things that had previously been based on 50-50 funding with the commonwealth. In stark contrast we now see a Labor federal government working in cooperation with state governments to deliver the services that we know are incredibly important not only to Australians but also, in terms of our interests, to Victorian families.

Just in reference to the specifics of the budget that was delivered on 5 May — it was a great pleasure to see the Treasurer delivering the budget in this place, and I think receiving the accolades that he and this government deserve — we know it takes an enormous amount of work to put together a budget and that there is an enormous number of conflicting interests. We would always like to do more, but we are always constrained by budgets, whether it is ourselves individually or as governments. We need to make sure that we manage money responsibly, and that is a feature of this government.

This budget is really about delivering jobs in the middle of this economic crisis and downturn, which is considered the worst downturn since the Second World War. This budget seeks to secure up to 35 000 jobs over the next 12 months by investing in infrastructure and by stimulating economic activity. It creates more opportunities for Victorian workers to skill up and retrain. It maintains a strong safety net through core services such as education, health and transport, and it continues to support disadvantaged Victorians and their communities. This budget recognises that a strong economy relies upon a fair society.

The budget also provides funding to help in the recovery of those areas that were devastated by the bushfires in February of this year. We know 173 people died in those fires, many businesses were destroyed and entire communities were wiped from the map. We know many Victorians suffered loss and injury on and continue to suffer from the trauma of that fateful day.

This budget delivers nearly a billion dollars to help us complete the task of rebuilding these communities, and of course this is in addition to the funding that has been raised through the Victorian Bushfire Appeal Fund, which raised over \$330 million as the result of an enormous effort by many, many people. The budget recognises that disaster and contributes significant funding to help people recover from it.

In this economic downturn Labor knows that one of the most important things to families is having a secure job. We need to invest now to make sure we continue to provide jobs for Victorians, and that is why this budget provides almost \$24 billion in infrastructure projects with the purpose of driving jobs and economic growth. This represents a quadrupling of infrastructure spending.

Of course the government's commitment to investing in infrastructure has been a feature of all the budgets that have been delivered by this government. We know there was virtually no or very little investment in infrastructure under the previous Kennett government, and this government has resolved from the outset to redress some of that underinvestment. This budget continues the high level of investment and delivers the biggest infrastructure program that this state has seen.

As I said, normally one of the features of this budget is the cooperation between the commonwealth and state governments. It is a very strong feature of this budget. It accelerates our own infrastructure program, with investment from the commonwealth government to fast-track a number of projects through the Nation Building economic stimulus plan. This includes over \$11.5 billion to be spent this financial year on infrastructure projects in Victoria through the combined efforts of the state and commonwealth governments and state authorities.

These investments cover a full range of economic, social and environmental infrastructure that we know we will need in the coming years. They range from water and sewerage projects to capital grants for government and non-government schools, for major transport projects and for new and better hospitals. They include the delivery of the first stages of the

\$38 billion Victorian transport plan and they continue to deliver on the \$1.9 billion Victorian schools plan.

We will also continue to work with the commonwealth on Building the Education Revolution, and this will include upgrades and the building of new facilities at primary schools across the state. Working with the commonwealth, we will increase the number of new social housing dwellings, on top of the investment this government has already made in social housing, making sure more Victorians have access to secure and affordable housing.

In the remaining time available to me in this debate I would like to just point out a couple of the features of this budget for the electorate of Macedon. I am very pleased to say that we have received funding for stage 3 of the redevelopment of Gisborne Secondary College. This represents \$6 million, which will create a science learning centre comprised of three science labs, a kitchen and a science IT room, as well as a new canteen and senior student lounges.

The federal government has allocated \$2 million for the Gisborne Primary School. Part of the budget includes \$780 000 for Mount Macedon Primary School, \$750 000 for a new Riddell's Creek police station, \$20 000 in security upgrades for the Woodend police station, a replacement light pumper truck for the Romsey Country Fire Authority brigade and new road crash rescue kits for the Gisborne and Woodend State Emergency Service units.

In addition we have received \$6.4 million to improve the services provided by the Sunbury day hospital. This will expand the day hospital by providing operating theatres and recovery services to provide minor same-day surgery services for patients with low complexity. This project will also provide residents in Sunbury and the surrounding areas with specialist medical care, including diagnostics, pathology and rehabilitation. This is a great project, and I am very pleased to get that additional funding.

This budget, as part of the Victorian transport plan, provides \$270 million to deliver the electrification of the train line to Sunbury. We know this will improve the capacity and reliability of the service. We have had a heavy pumper truck for the Sunbury Country Fire Authority brigade replaced, and a Hino truck for the Sunbury State Emergency Service unit. There is \$650 000 in additional funding for the Sunbury police station to upgrade its cooling towers and security and telephone systems.

This is a great budget. It has delivered right across the state. It has included Macedon and delivered great things for Macedon. I have only been able to touch on a few of those things. I think it is a great budget, and I commend it to the house.

Mr HODGETT (Kilsyth) — I rise to contribute to the debate on the Appropriation (2009/2010) Bill. My comments this evening will relate specifically to my electorate of Kilsyth. However, I feel I must state the obvious at the outset, and that is that Labor cannot be trusted to manage money. I got an email the other day from a concerned resident, a constituent of mine, who asked how many zeros there are in a billion. The constituent said that the next time you hear a Labor politician use the word 'billion' in a casual manner you should think about whether you want Labor politicians spending your taxpayers money. The message went on to say:

A billion is a difficult number to comprehend, but one advertising agency did a good job of putting that figure into some perspective in one of its releases:

... A billion seconds ago it was 1959.

... A billion minutes ago Jesus was alive.

... A billion hours ago our ancestors were living in the Stone Age.

... A billion days ago no-one walked on the earth.

... A billion dollars ago was only 8 hours and 20 minutes, at the rate our government is spending it.

As I said at the outset, Labor cannot be trusted to manage money.

Turning now to my electorate of Kilsyth, to be fair there is some good news in the budget as \$10.4 million has been announced for stage 1 of the Pembroke Secondary College redevelopment. This is fantastic news and a great win for our school community. Since being elected I have continually pressured the minister to act on this funding, and I am pleased that the hard work has paid off and this long-overdue project has finally been funded. I have raised this matter some 30, 40 or 50 times, so I am pleased with this news.

I know Aidan Ryan, the school principal, and the Pembroke Secondary College school community are thrilled, but they know who has done the hard yards and who went into bat for them to receive this funding. I will be pushing the government for a start date on the project and will keep working hard to ensure that the successive stages of the college master plan are delivered.

To be fair, there is more money for Bayswater North Community Renewal. Following the establishment of the Bayswater North Living in Safety Safety Action Group, or the BLISS Safety Action Group, through Bayswater North Community Renewal, I am delighted to confirm that the project has been extended to run an additional three years. Some \$8.9 million has been provided over four years to extend eight community renewal projects, including Bayswater North. The project will now run for six years in total after having been originally funded for three years.

The Bayswater North Community Renewal team is a dedicated, energetic group that has worked hard to improve and reinvigorate Bayswater North. We are all very excited about this extension of funding and the projects it will deliver for the local area.

In relation to health and the Maroondah Hospital, the latest *Your Hospitals* report states that patient satisfaction at Maroondah Hospital has dropped 20 per cent. The report also states that more than 780 people are waiting for elective surgery at Maroondah Hospital, and almost 410 of these patients require semi-urgent treatment such as knee and hip replacements.

The state government's targets say semi-urgent patients must be treated within 90 days, but almost a third of patients at Maroondah Hospital were not seen within this time frame. I have lobbied hard for increased funding to treat more patients and to treat extra elective surgery patients. Whilst the budget commits additional funding for this, there is no indication how much will be allocated to Maroondah Hospital in my electorate.

I want to talk a little bit about weed-control funding. Some \$24 million was announced to manage weeds and pests as part of the Future Farming strategy, but there is no specific detail on whether local government can access these funds to tackle the enormous weed problem. Given that the Brumby government handballed responsibility for roadside weed control to local councils, an increase in funding to manage this enormous task should have been announced.

The minister should talk to Glenn Patterson, the chief executive officer of the Yarra Ranges Shire Council, or the mayor or councillors at Yarra Ranges and hear about the extent of the weed problem. It would not take long to convince the government that some money should be given to local councils to tackle the enormous weed problem.

What about mental health and specifically mental health facilities at Maroondah Hospital? I welcome the news of \$24 million over four years for new mental

health services, including new inpatient beds at Maroondah Hospital. However, I am informed that this equates to only five new beds for Maroondah. That is not nearly enough to tackle the issue of mental health in the outer east.

I move now to the Maroondah Education Coalition regeneration project. The state budget included funding for the Maroondah Education Coalition regeneration project, which includes Croydon Secondary College and the Croydon Community School, both of which are located within my electorate of Kilsyth. This funding is for planning for the Maroondah Education Coalition, which will see the development of Croydon Secondary College, Maroondah Secondary College, Ringwood Secondary College, Heathmont College, Norwood Secondary College, Parkwood Secondary College and Croydon Community School on five new or refurbished sites. The details of these upgrades are still to be defined by the government.

However, after Parliament rose last Thursday, 4 June, I attended a community forum to discuss the Maroondah regeneration project. Dr Jim Watterston, the regional director of the eastern metropolitan region of the Department of Education and Early Childhood Development, together with the secondary school principals involved — my local representatives were Michael McNamara from Croydon Secondary College and Bronwyn Harcourt from the Croydon Community School — did a terrific job explaining the Maroondah regeneration project and seeking community feedback. It is early days, and I very much look forward to hearing more about this project.

Let us look at sport and in particular local soccer club facilities. The government announced \$5.7 million for new and upgraded local soccer club facilities and pitches through the new Strengthening the World Game program. Whilst the details of specific facilities were not announced, I will be seeking funding for upgrades to our local soccer facilities in Maroondah and Yarra Ranges — for example, Dorset Reserve, home to the Croydon City Arrows Soccer Club, and the Keith Hume Fraser Reserve in Yarra Ranges.

Again to be fair, I acknowledge the minister's recent announcement, quite separate from the budget, of \$60 000 for the development of a new pavilion at Kiloran Park and nearly \$44 000 for a new sports field and training lights at Dorset Reserve. I have raised both these projects with the minister and lobbied hard to deliver this funding, and it is great to see that my efforts are paying off.

However, the demand for community facilities in my local area is enormous. Only last week I spoke in this place about clubs like the Croydon Chess Club which until recently operated out of the L. J. Hooker office meeting room in Mooroolbark. The Croydon Model Railway Club pays rent on commercial premises in Chirnside Park, which is just about sending the club broke. The Croydon Toy Library has outgrown its existing space. The Eastern Volunteer Resource Centre is in a commercial rental property and would prefer to operate out of a community hub. A number of callisthenics clubs are looking for space. We cannot underestimate the enormous demand for facilities for community use in and around our local area. I will continue to work hard to achieve improvements to the facilities in my local community, for and on behalf of these local clubs, groups and organisations.

With regard to car parking at local railway stations, the government has announced a metropolitan station and modal interchange upgrade program for railway stations, which includes extensions to parking facilities for commuters. While some locations were mentioned, there was no announcement regarding the much-needed funding to expand the car-parking facilities at the Ringwood East, Croydon and Mooroolbark railway stations.

Commuters, shoppers and the local business community will be angry that the government has ignored this issue, particularly in Mooroolbark and Ringwood East where there is nearby land to resolve the parking problem. During budget week I spoke to the Minister for Public Transport about this issue, and the minister fully understands that I will continue to vigorously pursue this matter until the commuters, local traders, businesspeople and residents around Mooroolbark, Croydon and Ringwood East get the outcome they want.

I was disappointed that no local pedestrian crossings or road safety improvements were announced in the budget. I will continue to fight for a fair share of the state's road funding so that pedestrian and driver safety can be improved on Eastfield Road, Croydon South, and at intersections such as Brice Avenue–Hull and Cardigan roads in Mooroolbark. Local residents want traffic congestion on our roads addressed.

Turning to public transport and specifically low-rider buses, the government has given no indication on an increase in the number of low-rider buses servicing bus routes throughout Ringwood East, Croydon South, Bayswater North, Croydon, Kilsyth, Montrose, Lilydale and Mooroolbark. I continuously have people coming to see me about more low-rider bus services. Whether

they are elderly people or parents with prams or shopping they describe the difficulties of getting on a bus and how it is much easier getting on and off low-rider buses. It would be terrific if the government could put more resources into increasing the number of low-rider buses servicing bus routes throughout our local area.

I want to mention the Mooroolbark Station Creative Community Hub. The master plan needs to be backed up with substantial funding to implement and deliver the capital works projects that have been identified, and the budget did not deliver any specific news here. It is typical of Labor that it builds community expectations but does not deliver. It never delivers the funds needed to carry out capital works.

It is unacceptable that another Labor budget has ignored the much-needed upgrade and refurbishment of the Mooroolbark police station. I will continue to lobby for this so that our policemen and women at Mooroolbark will have a better station in which to perform their duties. Minister Sideshow Bob informs me that the last time he visited the Mooroolbark police station was in 2007, so I invite the minister to come back and see the conditions in which the Mooroolbark police are working and trying to perform their duties.

I was disappointed that there were no specific announcements in relation to local police resources and community safety initiatives. Law and order is an issue regularly raised with me by local residents who want to feel confident and safe in their homes and streets. I would have welcomed the news of any improvements to community safety and crime prevention programs. I will continue to press the case and push the government to increase resources for our local police at both the Mooroolbark and Croydon police stations.

Finally, in relation to debt, the forecast net debt for the total non-financial public sector will rise from \$11.2 billion in 2009 to \$31.3 billion in 2013, an increase of 180 per cent and \$6000 of state debt for every Victorian. As a father with a young family, it causes me great concern that future generations of Victorians will have to carry a debt burden of more than \$31.3 billion. The Labor government is running up a huge debt but has no plan to pay it off, and we all know that is not sustainable.

As I said last year, the Premier is more interested in being in government than in delivering good outcomes for the people of Victoria. He is more interested in advertising, more interested in the media and more interested in spin doctors and increases in the bureaucracy. Victorians deserve better. The

hardworking, honest and decent people of my electorate of Kilsyth deserve better than what the Premier and his government are delivering to them.

Mr ROBINSON (Minister for Gaming) — I am very pleased to join the 2009 budget debate. This is a very responsible budget; a budget that has been framed in probably the most difficult circumstances confronting the state that any long-serving member could have envisaged. The world has changed dramatically from 12 months ago. I wish to take up the comments by earlier contributors, including the member for Macedon.

We have seen the devastating impact of the 7 February fires and the toll that has extracted from the Victorian community, both in human and capital terms. That, plus the global financial crisis, has made this a very difficult budget to frame. However, the government has done a very good job, and I endorse the comments made by earlier government contributors about the way in which the Treasurer has framed this budget.

It is a budget that focuses on jobs, and jobs that are fuelled by real infrastructure. I note the comments by opposition members. They do not like the extent of the government's expenditures, and they have made accusations that our priorities are wrong. It is true that you do get to choose in government what sort of infrastructure projects you will fund. You can, as this government does, make schools and transport infrastructure a priority, but you do not have to. You can — as former Premier Kennett did — be more adventurous, you can be more creative, you can be more 'out there'.

Indeed, it is a lasting tribute to former Premier Kennett that a \$1.5 million capital allocation still sits at the bottom of Rhode Island Sound, off the coast of Rhode Island. That of course was a brainwave of the former Premier. He thought that a great capital investment back in 1994 was to approve \$1.5 million for that ill-fated yacht *One Australia*. I think it did set one record: it sank quicker than any other yacht in ocean racing competition — it sank in about seven seconds. There has been one long-term benefit. I have to put on the record that I am sure the flat-footed flounder, the New England deep sea mackerel and the Rhode Island squid are enjoying recreating in and inhabiting the remains of that capital investment deep below Rhode Island Sound. That stands as a crass investment decision of the former Kennett government and one that the state of Victoria has received no benefit from whatsoever.

What this government is focused on is infrastructure that contributes meaningfully to a more productive future. I want to spend a few moments talking about transport and education in respect of my electorate of Mitcham. The Mitcham electorate welcomes the \$60 million allocation in this year's budget for the Nunawading level crossing project. We are very pleased to partner the commonwealth government on this important initiative. It is an initiative that has been refined over a number of years, because any number of propositions have been advanced as to how to address traffic congestion at that location. This is a practical and cost-effective solution. It is in contrast to some solutions that have been touted at times. One that the local council was pushing for a while involved road tunnels. The council thought that would cost \$85 million but it was later more accurately costed at around \$440 million.

The line-lowering proposition which the commonwealth and state are now planning to undertake is both practical and cost effective and will utilise a construction method that was very successfully employed at the Middleborough Road project in late 2006 to early 2007 — a project, I might add, that has received universal acclamation since the rapid completion of its construction phase. This solution at Springvale Road will involve more than just eliminating the level crossing; it will incorporate a new, relocated station, new parking facilities and a pedestrian underpass.

Importantly, sometimes the solutions this government chooses will not be the cheapest solutions. At Middleborough Road it would have been far cheaper to simply put the road right over the top of the railway line and make no provision for third tracks, new stations or anything. That would have cost less than half what the ultimate solution chosen for Middleborough Road ended up costing taxpayers. However, I and the government make no apology for that, because it was a far better outcome. Importantly it was an outcome that ensured that not a square inch of residential land was taken for that project. By contrast the cheapest option at Middleborough Road would have involved the acquisition of about 30 properties, so 30 families would have been displaced and had their homes bulldozed for the purpose of constructing that cheaper option.

The Springvale Road project, which has been long awaited in Mitcham, will be a great initiative. Preliminary work and service relocation is already under way, and we look forward to that project being rolled out in coming months. It is worth noting that in the city of Whitehorse in the last 25 years it is only Labor that has eliminated level crossings. It did so at

Station Street under the Cain government, it did so at Middleborough Road under the Bracks government and it is doing so at Springvale Road under the Brumby government.

Our opponents talk a lot about level crossings, but they deliver nothing. I have just one word of warning for the opposition on this matter, and that is that it ought be mindful of the games that its colleagues in Canberra are playing. The federal government — and I acknowledge the work of the former Liberal member — had granted \$80 million that is sitting in a national infrastructure fund which was the subject of some debate in the federal Parliament recently. It is hard to believe that the federal opposition sought to amend and then ultimately opposed the government proposal only two weeks ago, voting against it insofar as the structure of that fund was concerned. It is playing a very dangerous game. We will see what its tactics are in the Senate in a couple of weeks time. But Liberals and The Nationals are on notice. Any attempt by them in Canberra to play politics with this project, given that the work has started, will rebound on them very severely.

I should say what the other point is that the state opposition needs to be very mindful of in assessing and commenting on projects of this kind. It needs to think about how it is going to afford the things it talks about, because the opposition, through a member of the other house who represents the eastern suburbs, has been talking about not just eliminating the Springvale Road crossing but eliminating all level crossings in Mitcham. It wants to put the whole railway line — about 6 kilometres of it — underground. Thereafter it wants to shunt affordable housing out onto the top of the rail corridor, of all places, so that people can have a beautiful view of factory car parks.

If you think the opposition will have difficulty funding a \$6 billion black hole of unfunded commitments, just add a 6-kilometre undergrounding of a railway line in the suburban electorate of Mitcham and consider what would flow from that. I am sure, Acting Speaker, you would have level crossings in your electorate about which someone, thinking recklessly, might say, 'Let's get rid of all of them as well', at vast cost to the taxpayers. What this government is on about is practical and cost-effective solutions based on need not on whim, and we put the other side on notice about those things.

With respect to schools, the Brumby government is continuing its support for the largest rebuilding of schools in the state's history. This budget delivers \$9 million for the rebuilding of Blackburn High School, which will make an outstanding difference. Again there is a contrast between what the former Kennett

government did — it sought to make it a self-governing school and ripped the school community apart — and what this government has done. The government did not proceed with that flawed self-governance model and is now providing \$9 million for a much-appreciated rebuild of that school, which has an excellent reputation. The Blackburn High School project will follow on from earlier completed works at Box Hill High School, Antonio Park Primary School and Mitcham Primary School, and openings have taken place at those schools in recent times. We have also seen earlier rebuilds at Laburnum Primary School, Blackburn Lake Primary School and a number of renovation projects elsewhere.

The Brumby government is very pleased to be assisted through the federal government's involvement, and in recent days we have seen the following grants: to the eastern suburbs-based Blackburn English Language School, \$2 million; to Blackburn Lake Primary School, another \$3 million; to Old Orchard Primary School, \$3 million; to Rangeview Primary School, \$3 million; to Vermont Primary School, \$3 million; to St Philip's Primary School, \$2 million; and earlier this year \$3 million to Blackburn Primary School. All these things are very welcome, and we look forward to working in close cooperation with the federal government.

This is a huge change from the situation when I entered this place a few years ago, when dealing with schools involved a conversation around crumbling buildings, maintenance backlogs, a physical resources management system that did not work and endless arguments about old, clapped-out portable classrooms at the start of every year. We have come a long way. The government has listened to our communities and continues to provide record sums in resources for schools.

In the time available I want to talk about a couple of things in the portfolio areas that I have responsibility for. Reform projects continue in a major way in gaming, consumer affairs and the veterans portfolio, and I might start with that portfolio. We are one of the only states — the first I believe — to carve out through the efforts of former Premier Bracks a distinct role for veterans at the state level. We did that because Premier Bracks and his government believed that was a constituency worthy of greater attention and some resourcing for commemorative and educative activity. It is an initiative that has been emulated by other states and is now the norm.

In this budget, notwithstanding the very pressing economic circumstances we find ourselves in, the

veterans portfolio has seen the largest increase in funding of any portfolio in the state — something like a 30 per cent increase. An additional \$800 000 will provide for increased activity at the Shrine of Remembrance, which is witnessing record crowd visitations, and preparations for the government's response to the veterans sector strategy, which is something we initiated two years ago to assist ex-service organisations to prepare for the inevitable change that is confronting that sector and help it identify ways in which it can better meet the challenges going forward. We are doing the necessary work in the veterans area through facilitating the largest portfolio increase anywhere across government.

Our reform efforts in gaming will continue. I do not need to talk at any length about the gaming bill that went through the Parliament last week. It clearly establishes Victoria not only as the leading jurisdiction in Australia but amongst the leading jurisdictions anywhere in the world. We argue, and we will continue to argue, that initiatives like precommitment and the automatic teller machine ban should become national standards.

I also want to talk about reforms that continue in the consumer affairs portfolio. In the last 12 months we have had outstanding cooperation from the federal government. We have just lost the former consumer affairs minister at the federal level, Chris Bowen, who has been promoted on to bigger and better things. He is worthy of promotion, given the leadership he has shown in the national forum in consumer affairs over the past year. In that time we have seen an agreement reached on a national consumer law, something that people had talked about for many years. We have seen a national product safety regime established. Again, that is something that people have talked about for many years. We have seen the commonwealth take over responsibility for credit. Again, that is something that has been talked about for ever and a day. These are very welcome initiatives.

Just in closing on gaming, we have this endless argument about government becoming more reliant on gaming revenue. I will close with a couple of interesting statistics in this year's budget. Ten years ago, when we came to office, gambling taxes accounted for 7.3 per cent of state revenue; in this budget that figure is down to 3.86 per cent. Ten years ago electronic gaming machine taxes accounted for 4.3 per cent of state revenue; today they are 2.36 per cent. Gambling taxes as a percentage of state taxes — that statistic is thrown up sometimes — have shrunk from 16.4 per cent 10 years ago to 12.35 per cent today. I

note that Victoria has abolished more state taxes than any other state.

This is a state that is getting on with the job in difficult times and challenging circumstances. We are continuing to deliver. It is a jobs-based budget, a budget that will deliver vital infrastructure that will serve this state and its citizens for many years to come.

Mr TILLEY (Benambra) — I rise to make my contribution to the debate on the Appropriation (2009/2010) Bill 2009 in the short time I have before we recess for dinner. I sat here this afternoon listening in silence to the contributions made by members on the other side. We have heard that this budget is meant to be a budget about jobs. We have seen the fanfare, pomp and ceremony, but the anticipation and hopes of so many Victorians, and in particular the people of the electorate I represent, have been just absolutely gutted. It is like sitting around a Christmas tree at Christmas time when you are expecting a 10-speed racing bike and all you get is a dirty old pair of thongs. It is just cheap and nasty.

One of the core things that affects our society so badly is drug use. Funding for prevention and control has declined by an astonishing 11 per cent in real terms and not one single additional drug treatment bed has been funded. People from my electorate have to go to New South Wales just to try to find some form of drug treatment, because have no beds locally.

A local constituent has visited me a number of times recently. He is a reformed drug addict. I get motivation from him because he has been able to break the cycle, but he has had to do it on his own with no government assistance whatsoever — absolutely no help. I find he has been driven to break that cycle and try to find a new way of living, find employment and make a better person of himself. As I said, that has been absolutely no thanks to this government.

The waiting lists in Wodonga for drug and alcohol rehabilitation are extensive. As I have said, residents have to travel interstate to such places as Wagga Wagga in New South Wales. There is a faith-based Christian organisation called Granya House, which by and large does a marvellous job but once again with no thanks to this Victorian Labor government, which provides absolutely no assistance. That is the closest facility that we have in north-eastern Victoria. We see people trying to travel to Melbourne, trying to get help, trying to break that cycle with absolutely no assistance.

That leads me to a statement by the Victorian Alcohol and Drug Association. Its newsletter states that the

association was disappointed with the Victorian state budget:

... at a time when the government has declared its commitment to building a strong safety net by bolstering a range of social supports for vulnerable Victorians.

This is the seventh consecutive year that the Brumby Labor government has failed to provide any additional supported accommodation places for Victorians with a disability. Perhaps the Premier would like to explain why to the families in my electorate of Benambra whose members regularly telephone and call into the office and tell me they continue to languish on the waiting list for a placement for their own family members. The carers are getting older, their own health is failing and the frustration of dealing with a system in crisis is taking its toll on families and those with disabilities.

Paul Moate was the father of Stephen, whom I mentioned in this place in September last year. Unfortunately Paul passed away on 14 May not knowing whether the problems that were being faced by his son Stephen in his supported accommodation situation would be rectified. What a devastating thing for the parent of a child, to not know whether that child would be supported or given assistance. This government has simply failed to do that. My condolences go to the Moate family and particularly Paul's wife, Kath. I hope that something can be done in the very short term to ensure that Stephen is provided with a safe facility away from continual abuse from and assaults by other clients.

On another matter of supported accommodation, Kerry Ferguson, who is the mother and sole carer of 21-year-old Chloe, will continue to wonder how long it will be before accommodation is available for Chloe. Kerry has been a fantastic parent. She has sought and tried time and again to get assistance from government, but has not been able to get it.

Sitting suspended 6.30 p.m. until 8.02 p.m.

Mr TILLEY — Prior to the suspension of the sitting I was talking about Kerry Ferguson, the mother of Chloe. Chloe will never be able to fulfil her dream of achieving independence through being in supported accommodation with her own social circles.

Another important organisation in my electorate is the Cooina Family Support Group, which does the all-important good work of caring for, supporting and providing a lifeline to individuals with disabilities and providing family respite services and programmed activities. I have spoken with its representatives

frequently. It is a fantastic not-for-profit, non-government organisation that relies on support from the government in the form of grants and other small funding arrangements. It has a client base of approximately 500 families. The all-important respite that is needed by families is going amiss.

These children so desperately need the support of their parents and other family members, and it is important to give support to parents so they can have some respite and continue to work hard in supporting their family members. Labor's continued underinvestment in disability services means that many Victorian disability organisations will not be able to continue to meet the current demand for services, let alone improve service delivery. Services provided by these types of organisations are important not just to the individuals waiting for supported accommodation but also to their families.

Previous speakers have spoken about education. Today's *Border Mail* outlines some of the recipients of capital funding. That by and large is from the federal government, yet the Brumby Labor government likes to stand in the light and claim it is responsible.

We have seen 10 years of neglect by this government. A few short years ago there was speculation about the sale of the Snowy hydro scheme, with Victoria's portion of the proceeds — of the order of \$600 million — to be allocated to addressing the backlog of maintenance works resulting from the failure of this government to maintain public schools. The sale did not go through, and we continue to see our schools fall apart even more — particularly in my electorate, which has by and large been neglected.

To give credit where credit is due, we have seen some capital investment in my electorate. As we have heard from government members, there is more to be done. Let us hope for the sake of our children and future generations there is more capital investment. It is incredible that for 10 years the Liberal Party has strongly argued the case for the requirements of education but government members have often tried to rewrite history and bend the story regarding education. Some schools in my electorate are looking at amalgamation. That is another way of suggesting closure. We have just fought through the difficulties with the Mitta Mitta and Eskdale primary schools. A decision was made by the families in that area, and we will see the continuation of both the Mitta Mitta and Eskdale primary schools. It was a long, hard fight by those family groups and parent organisations to ensure that the future of Mitta Mitta and of Eskdale remains vibrant, which is very important to those communities.

I am nearly out of time, and there are so many things that need to be covered that it is hard to pick one. Not one single additional police officer will be appointed in this state as a result of this budget. As a former serving member of Victoria Police and of an external police agency, I remember vividly that Victoria Police was by far the best police agency Australia had to offer. We are seeing the continual extra pressures that police are suffering, particularly with the quick changeovers — that is, finishing work at 11 o'clock at night, going home, and having to be back on deck at 7 o'clock in the morning. That is not happening on only one or two days a week; it is happening day in, day out. There is usually an extra night shift, so in a 28-day cycle they will complete a night shift and then by the end of the seven days off they will come back and do another night shift.

If you have ever worked under those sorts of conditions, you will know that it wears you down. There are a lot of hardworking policemen and women in our community who are really carrying the load. I know we will see a Liberal-Nationals coalition government, and we will work particularly hard to ensure that Victoria Police is the best police force in Australia.

In relation to the drought, the Auditor-General's report has identified the drought assistance measures of this government. We see that Labor's drought assistance measures have affected communities through their lack of cohesion, effective reporting or proper forward planning. There are communities out there, particularly on soldier settler farms in my area, where residents are trying to decide what to do with their succession plan. This government fails to offer opportunities for people to come off the farm, particularly in relation to planning issues. Imagine you worked all your life on the farm and you were looking at the opportunity to subdivide all or some of your land so that you could remain in the community where you have lived and raised a family. There are a whole range of issues there.

What we see from this budget is the high-taxing, high-spending, high-debt Labor of old. People who were only 17 years of age in the former Cain and Kirner era are about 35 now and have young families. They are really starting to feel the pain. Hopefully this will be an eye-opener for them as they realise there have been 10 years of absolute neglect of those hardworking families by this government.

We are looking at something in the order of \$31.3 billion of public sector debt by 2013, which equates to around \$6000 for every Victorian. We see continual cost shifting from this government onto local

government. Consider the cost shifting at the council in Wodonga in the electorate of Benambra. If you are born in Victoria this time, from the first breath that you take you are looking at something in the order of a debt of \$6000. With the debt from the cost shifting from the state government onto local government, you are probably looking at something in the order of another couple of thousand dollars of debt. In Wodonga, you are currently looking at your share of a debt of around \$32 million. It is a large debt for a small local government. It is certainly not acceptable. The ratepayers of Wodonga do not accept that level of debt. The cost shifting from this government has not helped the city of Wodonga.

We see the rail project in particular is well advanced. We see the infrastructure is going to timetable, but it has been a long time. It was the former Kennett government that first funded that rail project, and it has taken this government another 10 years to proceed with that infrastructure project. Let us wait. We are hoping the infrastructure will be completed around February next year.

I understand the rolling stock is mainly the same old stuff. Some bogies, some paint and a little bit of new carpet is all we are getting for north-east Victoria to run along the new standardised line between Albury and Melbourne. Let us hope for the sake of our train-travelling commuters from the north-east of Victoria that we will not have to put up with the same conditions of inadequate toilets and failing air conditioning. Remember that this government is only putting back the same old carriages with a lick of paint, some new carpet and some new bogies underneath.

In the time remaining, I remind the house of the legacy of debt from this government and the neglect of our education system, our roads, our schools, our law enforcement and our hospitals.

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

Ms D'AMBROSIO (Mill Park) — I am pleased to speak in support of the Appropriation (2009/2010) Bill for the upcoming financial year. Over the next financial year my electorate of Mill Park will gain a great deal from this government's budget. This budget will continue to grow infrastructure and services for the people of my community, which only Labor has committed to do time and time again. I am very pleased that when Labor is in government my community gets what it deserves.

The largest single investment is the Brumby government's commitment of \$562 million to extend the Epping rail line to South Morang. Construction of this project is due to begin next year. This investment will deliver the duplication of the existing 5-kilometre single track between Keon Park and Epping stations and the construction of 3.5 kilometres of new double track to South Morang.

A new fully staffed premium station at South Morang will include 500 car spaces, a safe drop-off area, a taxi rank, bike lockers and connections to bus services and other community facilities. A second platform will be built at the existing Thomastown station. Both Thomastown and Epping stations will receive significant upgrades to improve accessibility for commuters with disabilities, including a pedestrian overpass and underpass.

Road and rail separations at three points — Dalton Road, Pindari Avenue and Civic Drive — will provide the maximum safety possible for pedestrians, private vehicular commuters and public transport users. The government has wasted no time in getting this project ready for construction. We have commenced a full community consultation process, accepting comments and feedback from residents about specific design issues. The project is due to go out to tender later this year and will create 400 new jobs.

Further, this government will spend \$651 million over the next six years to purchase 20 new metropolitan trains in addition to those already purchased, and \$132 million over five years to improve the reliability and capacity of our metropolitan rail network, also including the provision of more staff.

The Brumby government's recognises the transport needs of our outer northern suburbs. By delivering on the \$38 billion Victorian transport plan, I am very positive that we are moving towards a world-class rail system.

This is indeed a jobs budget, and for my community availability of jobs and employment security are especially important. The global financial crisis is imposing a significant economic strain on families in my electorate. The manufacturing industry, which has provided the underpinnings of our local economy, is vulnerable to the international financial crunch. Now, more than at any time in the last two decades, we need a strong and proactive government that is prepared to invest in Victoria's future, in the future of Victoria's families, to enable us to sustain the challenges before us.

This budget brings forward infrastructure spending to deliver capital projects to secure up to 35 000 jobs in the upcoming financial year. The first stages of the Victorian transport plan and the government's working with the federal government to help deliver its Nation Building economic stimulus plan are two key strides this government is taking to secure jobs for families. Funding of more than \$11 billion in partnership with the federal government fixes our focus squarely on addressing the pressures of population growth and delivering better education, health and transport services for Victoria. By fast-tracking five significant developments at Caulfield, Waurn Ponds, Werribee and the Amcor Pentridge sites, we will be bringing forward essential construction jobs to help stimulate the economy.

Investment in construction is one of the most effective and time-sensitive ways of stimulating the broader economy and keeping people in jobs. It creates a chain effect of demand and supply that reverberates through all industries, stimulating all kinds of employment and providing jobs for many families. Private investment is low. For Labor, this means that public investment must play a strong leadership role to help sustain our economy's development and keep our families in jobs. We are building on the investment of the last decade to support industry and spark innovation. The Victorian industry and manufacturing strategy, Building Our Industries for the Future, is a \$245 million strategy to steer us in the right direction to meet these objectives.

This budget delivers \$8 million over four years for the defence industry acceleration program and \$4.2 million over four years for a new export clusters program. Our *Innovation — Victoria's Future* statement includes \$20 million over four years to grow the biotechnology strategic development plan and \$40 million over four years for the Boosting Highly Innovative Small and Medium Enterprises program.

In terms of biotechnology I am very pleased to ask: what better story could there be to tell than the one about funding provided by this government in the previous financial year for a biotechnology centre over at La Trobe University, which is very near my electorate and has many students from my electorate? The centre will certainly help put the northern suburbs, the outer northern region of Melbourne, in a very good place for future career opportunities and job prospects, and I am very pleased to make specific reference to that fine project.

There is also \$50 million over two years for the Industry Transition Fund and \$1.2 million for the transport infrastructure manufacturing scheme. We

know that industries, including manufacturing, need assistance for the transitional time confronting many of them. I have mentioned that manufacturing has been vital for the people of my electorate. The government has taken strong action to help prepare our industries and economy for a new era. These investments in innovative industries and industry transitioning are solid policy signposts pointing us to the future.

We need to build up the skills of our people, our human capital, to take full advantage of these new directions. We cannot have one going ahead without the other, without stagnation. This is why we released the *Securing Jobs for Your Future — Skills for Victoria* policy document in 2008. Through this agenda the government committed to invest \$316 million to skill up our workforce, to assist displaced workers to reskill for alternative employment and to improve our state's productivity in a very difficult international environment. From July this year part of this investment will create 172 000 additional training places. It will also create places for an extra 900 teachers and 500 non-teaching staff and help businesses more easily access training opportunities for their employees.

I am also looking forward to seeing the investment that was committed by this government at the last election to further develop the Northern Melbourne Institute of TAFE at its Epping campus, which serves my electorate. When it comes to what Labor has done in government, people in my electorate have certainly been very much on the receiving end of growth in industry capacity, skills and opportunities for young people.

How often do we hear, 'If you have your health, that's what matters.'? I hear that almost every day from friends, family, acquaintances and constituents. We all recognise the point of this saying. Health is not the only thing that is important in life, but when you have it, hey, everything else is manageable and a lot of other things are possible. The Brumby government has embraced as a key measure of the strength of our community a health system that is first rate and accessible to all.

At this time I wish to acknowledge the presence in the chamber of our top-class health minister. It is not an overstatement to say that he is by far the most impressive health minister we have today across all jurisdictions. What this minister has helped to deliver through this budget is an increase in the investment of more than \$3.8 billion in our public hospitals over the last decade. We have expanded the Northern Hospital

and improved the quality and technology of its services, as well as improving mental health services.

This is a government that combines innovation across a variety of industries, not leaving behind the vital health industry, where the cutting edge of medical research is fully appreciated not just by our health minister but by the entire cabinet, including no less a person than our Premier. That is being reflected in the upgrades to the quality and technology of services that are available in our public hospitals. This budget will invest a further \$781 million over five years to meet demand and tackle hospital waiting lists, including \$350 million to treat an additional 39 500 patients in our public hospitals.

Young families are a large part of my electorate. Their children deserve the best possible start in life. The link between education and good job outcomes later in life is as true now for my community as it ever was. What is different now though is the ease and speed with which many can be left behind. Certainly, that is something our government is keenly aware of and something we do not wish to entertain at all.

The economy of our state and its social progress is closely linked to higher skills and innovation. The government believes that every child deserves a first-class education and the best chance to reach their full capacity. The Brumby government will therefore invest \$402 million over four years to continue to rebuild or modernise every government school by 2016–17.

There will be \$58 million over three years to employ 200 teaching and learning coaches, focusing on maths and science, and 50 ultranet coaches. At a time when our government is delivering on innovation and supporting our industries in cutting-edge technology, again we need to ensure that our people, our human capital, follow, hence the focus on maths and science and ultranet coaching.

There will be \$7 million in the next financial year for 7000 new or replacement computers in government schools and \$15 million over two years to meet rising demand for places in vocational education and training in schools programs, something that is vitally appreciated by my community.

There is \$14 million for an additional 4000 kindergarten places. Together with commonwealth funding, the Victorian government will contribute to a total of \$508 million over five years to help government and non-government schools increase the number of computers for students in years 9 to 12

through the commonwealth digital education revolution.

Let us not forget that while we are adding further improvements to services and infrastructure to record levels, for some communities we are starting from scratch. The February bushfires have no equal, with 173 lives lost. As part of our commitment to help alleviate some of the burden on the families whose lives have been so tragically affected, our government will deliver \$986 million over five years to rebuild those communities and help people recover their lives and livelihoods.

Whilst my electorate of Mill Park was lucky to escape the heavy force of the fires with only a relatively small fire in the Plenty Gorge, many of my constituents lost loved ones and property at Kinglake and surrounds situated to our near north. The South Morang CFA (Country Fire Authority) in my electorate, like other emergency services, will benefit from \$344 million in this budget for fire-suppression activities and containment line restoration, for example.

This budget exemplifies the commitment of this government to Victorian families and its agenda for action in the toughest global economic situation in decades. Our government's steady and cautious financial management in the last decade will serve us well in these tough times. For confirmation of that and we have only to look at the maintenance of our AAA credit rating in the twilight of the budget being handed down early in May.

This budget continues the responsible management of our economy while investing in our families and their futures. This budget is not just a testament to the sound economic management that this government has undertaken for the last decade but is also a sign of where the state needs to move to, to ensure that we maintain the highest standard of living with quality services and infrastructure for all communities, whether in Mill Park or the other end of Victoria. I commend wholeheartedly the appropriation bill to the house.

Mr McINTOSH (Kew) — As members well know, Victoria now spends less per head of population on its police force than every other state in this country. It is also well known that there are less police per head of population in this state than anywhere else in this country. Recently I was reminded that we have the lowest level of front-line police officers per head of population of any state in this country.

That was not necessarily a fact that I was immediately aware of. I was certainly well and truly aware that the

opposition had indicated that its evidence proved we spend less on police and we have the lowest level of police per head of population, but the figures on the front-line police came as a staggering revelation because the person who told us was the Chief Commissioner of Police. It was an admission from the Chief Commissioner of Police that we have the lowest level of front-line police officers in this country.

That is an indictment of this government, particularly in the current circumstances when we had 3000 people out the front of Parliament House on Sunday two weeks ago, parading up and down the street, demonstrating about the lack of action by this government in relation to attacks on Indian students, which was something that the Leader of the Opposition wrote to the Premier about two years ago. It is an indictment that Victoria is still in this current situation.

The only thing this government can do about violent crime is to put more police on the beat. The announcement made today in relation to the task force to be sent out to a number of train stations that have had particularly prevalent attacks on Indian students is indeed an admission of abject failure by this government. It is admitting that as a government the only thing it can do immediately to deal with this problem is provide more police resources where they are needed.

The most important thing about this is that the government has consistently promised to do something about the problem throughout its time in office at a time when it has been blessed with nearly \$300 billion and has had almost 10 years of unbridled power in the sense that it controlled both houses of Parliament for a number of years.

The most important thing is that that has been squandered when it comes to law and order in this state. What a disgraceful circumstance we now find ourselves in, with Victoria having the lowest number of front-line police officers compared to any other state. We were promised a modern, flexible, intelligence-led, evidence-based police force.

I turn to the issue of a modern police force. Consistently we have been promised the rollout of a mobile data network that would enable the paperwork of ordinary constables in divvy vans around this state to be done electronically and transmitted without the need to fill out paper forms.

We were told that we would have a much better communications system, but as we know perfectly well, and tragically, the police communication system did not

operate effectively on 7 February, Black Saturday. Metropolitan police officers could not even communicate with their country counterparts because they were on a different network. That is the type of thing this government does. It is all patchwork. It is not a modern police force when you cannot even provide it with things like a mobile data network or an effective radio system.

We were also told that the police force would be intelligence based. Members look at a recent report on IT which describes the computer system operated by Victoria Police as close to meltdown. The IT system is described as being insecure, vulnerable and, as I said, close to meltdown. Not only that but the IT section, the business information technology section of the police force, has been riddled with scandal. One person has been convicted of a criminal offence in relation to fraud, and there have been allegations of fraud and other things coming out of that section. Indeed, there has been a black hole of waste of nearly \$90 million in the section, and the government blithely ignores it and says, 'We will do better in the near future'. It is just not good enough.

I turn to the matter of an evidence-based force. As the Minister for Health, who is at the table, would know, when you start getting dodgy figures it becomes very hard to allocate resources to appropriate places. Indeed that is exactly what the Ombudsman found recently. He found that the whole system of data collection, and indeed the communication and dissemination of that data, is dodgy. That is my term, but it certainly sums up what the Ombudsman found.

He found that crimes such as assault are chronically underreported. The Minister for Police and Emergency Services still gets up during question time and bleats that we are the safest state in the country. Police figures for the period since the government was elected show that assaults in the state have increased by over 60 per cent — and that is probably underreported. Violent crime in Victoria has increased by 36 per cent from 31 000 reported incidents when the government came to office to over 43 000 incidents now. Yet even the figures appear to be dodgy and to chronically underreport that violent crime.

We have also been told that our police force will be flexible. The only flexibility in our police force is in taking police away from the front line in places like our suburbs, regional centres and country Victoria and putting them into the central business district to solve a political problem which is the creation of the Premier and his government. Now we have a political problem in relation to Indian students and quite properly we

have to deal with it, but we are taking police away from other areas to do that.

In the last 12 months my area of Boroondara has lost five uniformed police officers, and has almost seen the closure of the Ashburton police station. That station had 12 police officers, but it is now just a shopfront for one police officer between the hours of 9.00 a.m. and 5.00 p.m.

The member for Hastings is in the chamber. He represents the growing city of Hastings which, like elsewhere in Victoria, has a problem with issues relating to violent crime. There was a bleeding sore down there in relation to a number of recent comments by a local police district inspector until he was carpeted for telling the truth. He is now sitting in an office elsewhere, yet the police station could not be kept open for 24 hours.

What do we find our police force doing at the direction of the Minister for Police and Emergency Services? He said, 'We will not have a 24-hour police station down at Hastings. What we will do is make it a 16-hour police station'. A large centre like Hastings is without a 24-hour police station simply because of a lack of flexibility. That is the disgraceful circumstance that our police force finds itself in. This government has driven the agenda about our police force. It is more about spin than substance.

Something really irksome is developing now. The police minister will talk only about good news. He now expects front-line police officers to do the talking about the bad news. It could be the chief commissioner, it could be an assistant commissioner or somebody else. I think it is a dangerous step when a politician, the Minister for Police and Emergency Services, is too gutless to face the cameras about critical issues in relation to policing that confront the state.

In relation to emergency services, this government has failed to heed the warnings contained in many of the expert reports over many years about the appropriate level of emergency services and the apparatus that is used. As we know, the standard emergency warning signal was not in place and in operation on 7 February. There have been countless statements of evidence about the warning, and perhaps a system should have been rolled out.

The emergency services commissioner, Bruce Esplin, has been running an agenda for a number of years, certainly since the 2002–03, fires to get this in place, but he has had to front the royal commission and explain why it was not implemented. At the end of the

day all he can do is put up his hands and say, 'I tried'. He had hit a brick wall. The government had all that money and all that power but was unable to implement a standard emergency warning system in this state. Sure, there might have been better technology, but even if it was not the most up-to-date technology, it should have been rolled out.

In relation to other aspects, we know that the government failed to upgrade the 000 system and that 82 per cent of all emergency calls on 7 February went unanswered. Even if they were answered, they were shifted off to somewhere like Centrelink, which proved to be completely useless. There was that level of unanswered occurring notwithstanding the fact that the government had been warned in April last year that the 000 system would fail in the event of a catastrophic situation. The government refused to fund that upgrade.

On top of that, as I have already alluded to, police radios used by metropolitan and country police could not communicate on that day. As Deputy Commissioner Kieran Walshe indicated while giving evidence at the royal commission, this was a major disability on the day. What is worse, in August last year the government was again warned about this issue, and the police were requesting funding to overcome it. A document leaked to the opposition demonstrates that the government knew about this problem and chose to do nothing.

The Labor government was also warned about electricity lines. Electricity companies sought approval from the government to have their powerlines put underground, but the government refused. The cause of the Kilmore East fire is still to be determined, but the evidence suggests that those fires were started by an electricity line.

Late last year a joint parliamentary committee recommended that the Brumby government increase the levels of its prescribed burning. It would appear that over the last 10 years the government did not for one year meet even its own low target of prescribed burning. I have been made aware that in places like Williamstown and Altona the fire stations are inadequate and a lot of the equipment has to be stored outside. In relation to the upgrade of fire equipment which the government has promised, those stations would not be big enough to accommodate any new fire tankers.

This budget, while it addresses some of the matters relating to communication, does not provide any real details as to what precisely the new communication equipment will be. But it is too late. The reality is that

this government has been warned for a number of years about its communication systems, its 000 system and these sorts of things, and it has chosen to do nothing.

While this increase in funding for communication technologies is welcome, it is unfortunately too late given the events of Black Saturday. Government members knew about the warnings and chose to do nothing. This state deserves to have the best emergency services; we need the best emergency services for a variety of reasons. It is unacceptable that a government which knew about these shortcomings chose to keep quiet, to shut up about them, to spin everything and to do nothing about the situation.

It is also a disgrace that we have got to the point where we are talking about serious international scrutiny of crime levels in this state. Yes, there is a move today to relocate police to a special task force, but it will take a lot more effort to fix this problem. Greater London is a city of 8 million people, and Victoria has 5.3 million people. We are two-thirds the size of the United Kingdom, yet it has almost twice as many police officers per head of population as we have in Victoria. We need to do something about this, we need to do something quickly, and a government with all that power and all that money should have done something about it. It is now time, and it is going to take a Liberal government to fix it.

Mr ANDREWS (Minister for Health) — I am pleased to rise to speak in support of the Appropriation (2009/2010) Bill. This is a very sound budget for challenging economic times. It is a budget that brings together the product of nearly 10 years of sound financial management and yet it still manages to invest. Through that sound financial management the government is in a position to invest and to keep on investing in the basic, fundamental services that are so important to individuals, to families and to communities right across our state.

As you would expect, I want to focus my remarks on what is a very strong budget outcome for health and health services right across the state, both in terms of recurrent funding and in terms of capital works which invest in the fabric and the facilities that are so important in providing care to a growing number of patients. Increasingly the number of patients with acute health needs is growing, and these health facilities are critically important to meeting their needs as we go forward.

There are some headline numbers in the budget. There is funding for 30 000 emergency patients, for an additional 29 000 inpatient treatments and for just under

3000 additional chemotherapy outpatients, and additional funding for palliative care and post-acute care. These are substantial investments. When you count the figures in this budget, our total acute increase brings the extra acute funding available to our hospital doctors and nurses and other health staff across acute health to 126 per cent more today than was the case in 1999. That is more than the \$2 provided by this government for every \$1 provided by those opposite when they left office in 1999. On anyone's measure that is a substantial increase, and one that is put to good use across our health system. It is only through that additional funding —

Ms Asher interjected.

Mr ANDREWS — The Deputy Leader of the Opposition does not believe my figures. There are nearly 9000 extra nurses employed out there in the system, and 2600 additional hospital doctors are out there treating patients across our public hospital system.

These facts are undeniable, but what is also undeniable is the clear contrast between the government — which invests in the services that matter and gives to our hospital staff the resources they need — and those opposite, who have such an appalling record of underinvestment, of abject failure, and of never quite understanding that if you do not put into the health system, the health system simply will not have the capacity to treat and care for the vulnerable in our Victorian community. It is a pretty simple concept, but it is one that escaped those opposite for seven long, dark years in office, and the 10 years since.

Honourable members interjecting.

Mr ANDREWS — I will come back to the cheap commentary from those opposite about the budget in just a couple of moments. Those numbers and that additional capacity of 126 per cent mean there is more ongoing funding out there in the system, giving our doctors, nurses and health system administrators the resources and support they need to provide the very best care.

I now come to capital works. Those opposite get a bit touchy when we talk about capital works, because what we and the Victorian community know is that this government has invested more in just one single project, the Royal Children's Hospital, than the parties opposite invested in infrastructure in seven long years. We invested more in one project than was put forward by them in seven long years. More than \$5 billion —

Mr R. Smith interjected.

Mr ANDREWS — We are getting a lesson from the honourable member for Warrandyte. That is very interesting. I suggest to the member that in order to cause himself no further embarrassment he ought to be quiet.

That project is worth more than \$5 billion in health capital works. This budget builds on an impressive record, with additional support for a whole range of projects, both large and small — whether it be the \$19 million for the Alexandra District Hospital upgrade, which amounts to a new hospital in that fire-affected community. The area will also have an ambulance station. There are important upgrades at Ballarat Health Services — and you, Acting Speaker, as the local member, would know the value of that investment — including a new special-care nursery and a cardiac catheterisation service, which means that, for the first time, 850 local patients will be able to get their care locally rather than having to travel to Melbourne to get that care. That gives you a sense of the power of and the meaningful outcomes from those investments.

There is funding for enabling works at the hospital at Bendigo, with stage 1 works worth \$55 million coming on top of the nearly \$10 million we provided in last year's budget for an upgrade to the emergency department at the Bendigo Health Care Group. In my community, \$66 million will go to upgrading Dandenong mental health services and to expanding services there for those with a mental illness requiring inpatient care in Melbourne's south-east. They are just a sample of projects under the capital works program — that is, the important asset investment program the government has put in place in this year's budget.

I have not mentioned the headline, the absolutely fantastic investment in partnership with the commonwealth government: \$852.2 million for a Parkville comprehensive cancer centre. That has been a dream of so many people in the cancer control research and treatment community for so long. It is being made a reality through a positive partnership that is about good health policy, rather than rank health politics, which sadly is the only thing that interests those opposite. It is the only thing that dominated more than a decade of our relationship with the former coalition federal government.

This is a fantastic project, bringing together the Walter and Eliza Hall Institute of Medical Research (WEHI), the Ludwig Institute for Cancer Research, Melbourne Health, the Peter MacCallum Cancer Centre, the University of Melbourne and the Royal Women's Hospital. I have just come from Professor Suzanne

Cory's farewell, after her 13 years at WEHI. Again, this project means bringing together under one roof the best and brightest minds in terms of translational research, important cancer research, cancer treatment, and educating the cancer workforce of the future.

This is a great partnership. It brings together our efforts and the efforts of the commonwealth government, in partnership with those agencies I have just listed. It will see Victoria boast one of the world's top 10 comprehensive cancer centres. That ought to be a source of pride for every Victorian.

Cancer is a priority for me and our government. As you, Acting Speaker, well know, through the government's cancer action plan \$150 million was provided in last year's budget — not this year's budget but last year's budget. That is an important plan with a hard target, for the first time, to provide the important resources and the policy to underpin better outcomes in cancer care, whether it is in translational research, prevention and screening and better treatment outcomes or dealing with variability and variance in treatment outcomes and access in communities across the state, but also providing a more supportive environment and supportive care for cancer sufferers, for their loved ones, for their carers and for those who are closest to them.

This budget builds on that, and there could be no better way to build on the Victorian cancer action plan than the funding both from our government and from the commonwealth government for the Parkville comprehensive cancer centre.

I cannot think of a better way to punctuate our policy development efforts in relation to cancer control, which took up most of last year, than this budget announcement. It is very important. Whilst it will be in the middle of Melbourne, the cancer centre will benefit every Victorian in providing care and support and world-leading research, but also in training a cancer workforce, which is so important particularly for rural and regional communities. The centre will have 194 inpatient beds, 110 same-day beds, a medi-hotel capacity and, for the first time ever, a dedicated clinical trials ward. This is just a fantastic project. It is one that is welcomed, I think, by all Victorians.

Others opposite have been talking in this place about drip-feeding the capital program and about this government having to rely on the largesse of the commonwealth, and all of this rot and nonsense from the muddled and confused member for Caulfield. That member ought just to simply accept that this is a fantastic project and she ought to get on board it and

with the rest of our asset investment program, which after all is about providing our hospital doctors and our nurses with the resources and tools they need to provide the best care for patients across our state. It is as simple as that. It is a program and this is a project that ought to be worthy of support from all members of this house.

In terms of broader support, there is a smaller but very important amount of money to support better outcomes in indigenous health. I am particularly proud that again as part of a national partnership agreement with the commonwealth government we are able to provide, through our budget, \$47.4 million over four years in additional support for indigenous health measures. That comes on top of just about \$10.5 million over four years from last year's budget. Whether it is programs for better managing the primary and secondary prevention of chronic illness among indigenous men and women, getting smoking rates down or supporting the Koori maternity service — getting birth weights up and getting better antenatal birthing and postnatal outcomes for women and their babies — this is important work.

It is to our collective shame that we have a 17-year life expectancy gap. This will not close that gap — no-one is pretending that — but this is a positive step forward and a great start. It has been welcomed by indigenous leaders across the community, and I am sure it will be welcomed by others as we roll out these programs: smoking cessation, both primary and secondary prevention of chronic disease, but also training and recruiting a culturally appropriate workforce, doing what we can do to recruit indigenous health workers to serve, work in and support indigenous communities both in metropolitan Melbourne and the outer suburbs and also in rural and regional parts of the state. This is a strong, record-breaking outcome. Never before has a Victorian government provided this level of support in terms of driving better outcomes for indigenous men and women across the state. It is very important, and it is an investment we are proud of.

In terms of other supports, I have mentioned more broadly very strong support in terms of capital works and also ongoing funding. I should just make a few comments in relation to elective surgery. You, Acting Speaker, would know as other informed members of this house would know that last calendar year we undertook the biggest ever elective surgery boost Victoria has ever seen: \$60 million. Our target was to do 9400 extra episodes of elective surgery through the current year, in partnership with the commonwealth and with our own money, and to break through the barrier of 140 000 episodes in one year.

As the Acting Speaker well knows, we did 13 500 extra episodes of elective surgery last year. Sadly some members opposite, notably the member for Caulfield, have made the point that there is only temporary support in this year's budget. In partnership with the commonwealth government we had the biggest ever boost last year of \$60 million. The bill we are debating right now will provide a further \$45 million on top of the money that was embedded into the base through the hospital demand management strategy last year for each of the four forward years. We are about to go into the second year of last year's forward estimates. Members should read and understand the budget papers. There is ongoing money: there was record support last year and a further \$45 million will be approved and allocated — appropriated — through the bill we are debating, yet we are being lectured about having a temporary focus by those who saw elective surgery waiting lists go from around 30 000 to 40 000 in their seven years in office.

What I would say to the member for Caulfield is that if you are one of those 13 500 people who benefited last year or you are one of the 9500 people who will benefit this year — for instance, if you get your hip replaced — it is not temporary. If you get the surgery you need quicker than you otherwise would because this government is providing record support for our surgeons and our theatre technicians and our workforce to do more surgery than this state has ever seen, that is not temporary. This sort of flippant, muddled, confused commentary is a greater reflection on those opposite than it is in any way an accurate depiction of this government's effort. We are committed to ensuring that our surgical workforce has the resources it needs. That is what we did last calendar year, and it is what we will do this financial year. The member for Caulfield should be in no doubt that this government will continue to support our surgeons and health services in doing that important work. That is our record, and we will continue to do that important work.

Finally, sound financial management means you can invest in the services that matter, but it also means you are in a position to care for the most vulnerable in our community. While it is regrettable that we have to invest because of the great tragedy of Black Saturday, being able to support the affected communities with nearly a billion dollars in reconstruction funding does this Parliament great credit. It is a strong budget, a sound budget in difficult times, and I have no hesitation in commending it to all honourable members.

Mr BURGESS (Hastings) — The state's budget is a key document in setting Victoria's economic and, to a large extent, social direction. Since the last budget we

have seen global economic conditions deteriorate. However, while this Labor government would have us think it is the global economic situation that is responsible for Victoria's rapidly deteriorating financial situation, closer examination presents a completely different picture. Now more than ever Victoria needs a vision: an insightful strategy that will deliver the living standards and quality of life Victorians deserve and should be able to expect. Unfortunately Labor only knows how to spend, borrow and regulate. While it was able to get away with such a negligent approach while Australia's national economy kept the rivers of gold flowing, it is a strategy that can lead to nowhere but further debt.

I agree that it is important not to dwell on the past, but it is critical to learn from it. We all know that if you fail to recognise the sins of the past, you are doomed to repeat them. We should ask ourselves if we have ever heard a member of the Labor Party admit Labor got anything wrong in the Cain and Kirner governments. Have we ever heard a Labor member of Parliament even admit they could have done something better? No is the answer. Instead of admitting Labor drove the state broke, the government denies history by blaming the Kennett government for the measures it had to take to repair the damage Labor had done to our state. It is like watching the Iraqi minister for information in Baghdad on TV during Desert Storm denying there were any Americans in Baghdad while Americans in tanks drove past behind him.

One after another Labor members in this place stand up and bemoan the seven dark years of the Kennett government but they cannot bring themselves to think about, let alone speak about, the destruction Labor wrought on this state and the fact that it was Labor debt being repaid. Why is that? The simple answer is that Labor does not think it did anything wrong. Why then should we expect the same bunch of failures to do anything differently or to produce a different result?

The writing is very clearly on the wall with this government. There are lots of promises about financial responsibility and good economic management but we are in debt again. And the debt is getting bigger again. We will soon be at the same levels of debt the Cain and Kirner governments achieved. But of course somehow this time it is different: this time they will pay it off! At some magical point in time these debt junkies will just flick a switch and the debt will start to pay itself off. Let us be very candid about this: Labor has never paid down a debt. Labor knows only one direction with debt, and that is further in. The only question left to answer is just what catastrophic level of debt the Labor Party will

leave Victoria in this time. Will it be \$100 billion or \$500 billion?

We have heard that the level of interest we pay on Labor's debt would pay for a complete police force — that is, a complete new police force — every year. With this budget the Brumby government has had another opportunity to demonstrate to the Victorian public that it has a plan to steer Victoria out of the economic mess that it created, but it has failed again. When the Kirner government was voted out in 1992, Labor had driven Victoria into \$33 billion of debt. Victoria was all but broke and was virtually unable to pay the interest on its debts. On top of all that Labor lost Victoria's AAA credit rating.

Between 1992 and 1999 the Kennett government put Victoria back on track and back into the black — and it had our AAA credit rating reinstated. The Bracks and Brumby governments have spent the last 10 years ploughing Victoria back into debt — a debt that will soon reach \$31 billion again. I was around for the Cain and Kirner fiasco, the State Bank, Pyramid and the litany of other Labor failures. If anyone had told me that a government would come along and take the mantle of the most financially irresponsible government Victoria has ever had away from Cain and Kirner, I would have laughed at them. This government has actually done that, but we are not laughing. This government has managed to blow more than \$300 billion over 10 years, and it has nothing to show for it but massive debt. Despite unprecedented amounts of revenue, Labor has failed to position Victoria for the effects of an economic downturn. Victorians will have to shoulder the burden of a \$31.3 billion debt for years to come. By 2012 Victoria's debt will have reached 10 per cent of gross state product — a disgraceful situation for our great state to find itself in at the end of 10 years of rivers of gold produced by a buoyant national economy.

There is no doubt that Victoria's AAA credit rating is again under pressure. This is evidence of Labor's decade of financial incompetence. The incompetence of this government is underscored by the fact that the Premier has had to call on the federal government to bail Victoria out. If it were not for the federal government bailout, this budget would be in deficit by more than \$2 billion and our AAA rating would now be gone. This bailout will only perpetuate a cycle of Labor neglect. As the Brumby government taxes to service this enormous debt, Victorians will suffer even more through a diminution in basic services and an escalation of taxes and charges.

This Brumby government budget has again failed the Hastings electorate. The state government has claimed that funding provided in the 2009–10 budget will be utilised to improve police facilities statewide. When crime is up the Brumby government fudges the figures. When police numbers are down it closes police stations, but the government is never responsible. At election time the government is out there announcing new 24-hour police stations, but when the time comes to cut them back or close them, all of a sudden it is an operational matter. The state government slashes police numbers so far that stations cannot stay open 24 hours but then hides behind the claim that closing stations is an operational matter.

Nearly 10 years of Labor has left our police force understaffed, underresourced and unsupported. The government has failed Victorians on every measure. Police morale is at an all-time low, police IT is in a shambles, the government has cut police numbers across the state, violence across the state is out of control and the government has fudged crime statistics to cover up its failures. On the Mornington Peninsula, front-line policing hours have fallen by a staggering 18 per cent, or 9576 hours, since 2002, while over the same period violent crime has risen by a staggering 48 per cent.

Police are overworked and undersupported by this government. There are simply not enough of them. This means that police are unable to take time to recuperate when it is most needed. Police often witness or are involved in traumatic situations throughout their working day, and it is critical to their health and effectiveness that they have the necessary time to debrief or simply recover. This lack of recuperation time is resulting in critical levels of trauma amongst our police. As many of these officers are forced to take stress leave, the understaffing is worsened. The Brumby government is allowing a vicious cycle to occur, which is putting our officers and our community at risk. The end result is a police force that is ill-equipped to protect the community. My office is inundated with calls from residents who are disturbed by the length of time they have had to wait for police to respond to a call, if they arrive at all.

What is the Brumby government's solution to this critical problem? It has decided to close the Hastings police station overnight — that is, from 11.00 p.m. until 7.00 a.m. This is a station that has provided a critical and often lifesaving service around the clock for 25 years. It is the cornerstone of community safety in our region. To downgrade this station to a 16-hour per day service is a disgrace. It will deprive our side of the

Mornington Peninsula of police resources at the time most crimes are committed — overnight.

One of my young children best summarised the situation when he innocently asked me why the Hastings police station was going to close at 11.00 p.m., when right across the road the McDonald's store opens 24/7. I ask the Minister for Police and Emergency Services to answer that one.

Under this government Victoria Police has developed a culture of bullying and intimidation, which is little wonder as strong-arm and standover tactics are the hallmarks of the Labor Party. Police vacancies are 'fenced', which under this government means that a position is kept for a member who has toed the government's line and not complained about police shortages.

I have spoken in this place many times about District Inspector Gordon Charteris, a man who symbolises everything that is good about our police force and who was a victim of everything that is bad. District Inspector Charteris had a 32-year decorated career, serving in many positions of extreme trust. Over that 32-year career he had never felt the need to speak out about anything within the force, being confident that the necessary checks and balances were in place to ensure that wrongs would be dealt with.

That was until just over 12 months ago, when the situation on the Mornington Peninsula reached a point where the district inspector felt compelled to speak about the fact that he did not have enough officers to do his job and keep the community safe. True to form, this long-serving decorated officer was gone within weeks; he was hounded and bullied onto stress leave, from which he has never been able to return.

This is such a shameful situation, and the government should hang its collective head in shame. While I do not condone their actions, I can understand the situation that the commanding officers of Gordon Charteris were placed in. They themselves were bullied to shut up, and their choice was to support him or to follow directions from the government. Having knowledge of the accuracy of his statements, they should have done the right thing and supported him; in the end, however, it is a matter for their consciences. Unfortunately those who are in a position to take action about the desperate lack of police have not had the courage or motivation to speak out — and little wonder, given the brutal treatment handed out to District Inspector Gordon Charteris.

The government must do more to wipe out the lawless trilogy of graffiti, vandalism and hoon driving. Not only do these acts demean our community, they make our people feel unsafe. Graffiti without permission is not art; it is a crime.

The Brumby government has promised many transport plans over the past 10 years, but it has failed to deliver on any of them. The Stony Point line remains unreliable and unsafe, and there is nothing in Labor's budget to address it. The Hastings community, supported by Gwen Bates and Donna Young, both of whom lost loved ones through level crossing collisions on the unprotected Stony Point line crossings, have fought a tenacious community campaign to have boom gates installed at the Bungower Road level crossing.

The government eventually conceded the serious threat that the crossing presents to car and train commuters, and train drivers and passengers, announcing that boom gates will be installed, but through its inability to act quickly, will leave members of the community exposed for three long years.

The government must explain to these people, who are forced to take their lives in their hands when traversing the deadly Bungower Road crossing, why it is not in this budget for immediate upgrade. The failure of infrastructure on the Stony Point line continues to put peoples' lives at risk. Boom gates on some of the crossings that have them have been lowered when they should have been raised, and remain up when they should have been down. The gates being stuck down cause frustration and consume valuable police resources when officers have to control the grid-locked traffic. When the gates are stuck in the raised position and rail traffic is on the line, peoples' lives are put at risk. The Brumby government must invest in the infrastructure that secures the safety of the people that travel on and cross the Stony Point rail line.

Frankston station is already overcrowded and it is almost impossible to find a car park in the morning. Reopening the Langwarrin railway station just behind Burdett's would provide a very convenient public transport option to the 20 000 residents of Langwarrin and take considerable weight off the Frankston station car park. The government must also bite the bullet and upgrade the Stony Point line by electrifying it. Passengers should be able to board one train and go through to the city.

The government could have committed funding to provide convenient transport for very deserving people like the Wiseman family and families in a similar situation. The Wiseman family currently drive in excess

of 140 kilometres a day to and from the Nepean Special School just to access appropriate educational facilities for their son Flynn, who is severely intellectually and physically disabled. He needs constant supervision by either trained medical staff or his parents as his seizures are life-threatening and require rapid treatment. The additional impost of having to drive so far and for so long every day is simply unfair, and the government should act to rectify this situation immediately.

The townships of Tooradin, Blind Bight, Cannon Creek, Warneet, Devon Meadows and areas of Cranbourne South, Langwarrin and Pearcedale continue to be disadvantaged by the Brumby government's refusal to provide natural gas to those communities. Many times I have raised in this place the need for natural gas in those areas, but the state government has failed to act. At a time when our community is in need of leadership, our environment is in need of relief and our economic situation is in need of inspiration the opportunity is there for the state government to take action that would tick all of these boxes. Natural gas creates far lower atmospheric emissions than oil or coal. For an equivalent amount of heat, burning natural gas produces approximately 45 per cent less carbon dioxide than burning black coal.

As a direct result of a recent state government upgrade to the boating facilities in Warneet, out-of-town traffic along Rutherford Parade and Kallara Road — the ring-road — has increased dramatically. On any Saturday or Sunday it is not unusual for there to be 200-plus cars and boat trailers entering and leaving along the ring-road, and parking wherever there is a place for the time they are there. While the powder-fine dust on the road ends up on and in everything, including furniture, food and clothes and is an inconvenience, the major concerns regarding the dust are the very serious health effects and implications. The Brumby government and the Casey City Council has been passing the buck on the Warneet problem.

The proposal to levy landowners with a growth area infrastructure contribution (GAIC) is the action of a money-grabbing state government that has little regard for the impact it will have on individual landowners. The Brumby government has cited the need for affordable land for housing as justification to expand the urban growth boundary (UGB) later this year. It has been deemed 'fair' to provide the cost of infrastructure for these areas. This represents a policy that is merely intended to line the government's coffers, with scant regard for the burden this will have on individual landowners and developers.

This issue is of particular relevance to the communities of Junction Village, Devon Meadows and Clyde — areas in my electorate which are under investigation for inclusion within the urban growth boundary. The GAIC will undoubtedly push many Victorian landowners and developers to a point of either bankruptcy or of withdrawing their properties from the market. The measure is just the latest in a long line of increasingly desperate attempts by the Brumby government to grab more money. Make no mistake: this government will do whatever it takes to hold onto power in Victoria, even if that means driving property owners to the wall.

This measure will cost jobs and prevent new developments from going ahead in the growth corridor. For example, a person owning 200 hectares of land will receive a bill for something like \$19 million. The owner of a property of 1100 hectares will receive a bill for something like \$104 million. Many of the residents in this area purchased their properties to guarantee a certain quality of life for their families. Now they are going to be lumped with a brand new bill from this government. The Brumby government's proposition burdens landowners with an unrealistic debt. It claims to cover the cost of delivering infrastructure, but the government should have been accruing funds to establish this infrastructure over the last 10 years. This budget is another failure by this failed government.

Mr NOONAN (Williamstown) — It gives me great pleasure to rise in support of the Appropriation (2009/2010) Bill. In making a few introductory remarks I say it might be a good idea for the member for Hastings to have a look at the budget papers, because he spent a bit of time talking about policing in this state, but he only needs go to page 33 of budget paper 3 to see figures which might be of value to him, under the heading 'Safety and crime prevention'. It says:

Since coming to office, the government has boosted police resources, resulting in an extra 1400 front-line police being employed. As announced by the government in the 2007–08 budget, an additional 350 sworn officers will be recruited before November 2010. This investment together with the efforts of Victoria Police has resulted in a 24.5 per cent reduction in the overall crime rate since 2000–01.

It is certainly pleasing that the Minister for Police and Emergency Services is at the table, because through his efforts and the efforts of this Labor government, we are seeing record investment under this budget in policing to keep our community safe. I would recommend to the member for Hastings and other members in the chamber tonight that they have a look at their budget papers; it might be an enlightening experience.

In the Treasurer's budget speech of 5 May he said:

This budget is one of the most important in Victoria's recent history.

He was right, and I want to take this opportunity to congratulate the Treasurer on a first-class budget. It is only his second but one he has got absolutely right.

Never before in my lifetime has the world experienced such uncertain economic times. Years and years of sustained economic growth and prosperity have simply dissipated overnight, and it would be fair to say that confidence has been vastly diminished. Spending has slowed, and we all face the prospect of a global recession, although I would say that economic reports in the last couple of days would seem to have indicated that the forecast for a return to more prosperous times by 2011–12 seems to be on track with the way this budget has been formulated.

Against this backdrop the Treasurer has delivered, in my view, an outstanding budget and one very much for our times. I say 'for our times' because the International Monetary Fund recommended very strongly that governments around the world should respond to the global financial crisis by fast-tracking and investing in job-creating infrastructure.

With the members for Preston and Benalla, who are in the chamber, I had the opportunity over a number of weeks to scrutinise the budget through the very thorough Public Accounts and Estimates Committee. As I have learnt in recent times, Victoria is one of the few jurisdictions, at least within the Australasian region, to scrutinise their budget in such detail by taking it through the Public Accounts and Estimates Committee.

The view I developed through that process is that this budget very clearly ticks both the job-creation and infrastructure boxes, but it also goes further. It maintains Victoria's AAA credit rating, budgets for an operating surplus, keeps net debt at low levels and takes advantage of a commonwealth government that is prepared to work shoulder to shoulder with our state. It strengthens key services so that people do not get left behind, and invests in skills and education. It provides a record level of investment in the state's transport system. It further entrenches Victoria as the leading state in the provision of health services, and it was very pleasing to be in the chamber to hear the Minister for Health deliver his contribution to the budget debate. It provides more money than ever before, as I said at the outset, to keep Victorians safe. Most importantly, as other speakers have mentioned, it establishes a program

to recover from the worst bushfires in Australia's history. It is a budget that builds Victoria.

According to budget paper 3, on page 8:

The 2009–10 budget will deliver the largest infrastructure program in the state's history in partnership with the commonwealth government. Victoria will benefit from this investment as public projects position Victoria for the economic recovery and future growth.

This infrastructure investment is expected to secure up to 35 000 jobs in this state, and there is a range of projects right across the state including \$4.9 billion for the first stages of the Victorian transport plan, which I intend to speak a little more about, and \$2.9 billion for education facilities and schools and for enhancing our knowledge, skills and innovation. This continues the biggest school rebuilding program in Victoria's history. A legacy of this government will be our commitment to rebuilding and modernising schools across the state. There is \$1.7 billion for much-needed social housing infrastructure in partnership with the commonwealth government in a very important area, and \$177 million to upgrade or enhance community health facilities.

These new announcements come at a time when many major infrastructure projects are currently under way or nearing completion. These major projects include the new Royal Children's Hospital, the new convention centre, the channel-deepening project and the new rectangular stadium. Education remains this government's no. 1 priority, and up to 690 jobs will be secured in this budget to continue the program to rebuild, renovate or extend every government school in the state. The budget will see a further 113 Victorian schools modernised as part of the \$1.9 billion Victorian schools plan.

One of those projects to be funded is Bayside College in Newport. This is the third straight year that the college has received funding as part of the Brumby government's commitment to education and regenerating schools in Melbourne's west. Just as construction is nearing completion at the college's junior campus in Altona North, a further \$11.1 million has now been allocated to start stage 1 works at the senior campus in Newport.

During this government's term of office, the overall contribution to building works at the college now exceeds \$22 million, which is a mighty figure. The Altona North campus will also benefit from a decision of the Hobsons Bay City Council to construct a new \$4.75 million library along the Millers Road frontage.

I was recently very pleased to join the Minister for Local Government, a number of Hobsons Bay

councillors including mayor Peter Hemphill, deputy mayor Angela Altair and ward councillor Michael Raffoul to turn the first sod on that very exciting project. This investment in the library has again been supplemented by the state with funds flowing from both the Living Libraries program and the Community Support Fund. It is very pleasing to see the continuation of funds which will flow as part of the budget's forward estimates period into libraries right across the state.

I recently had the great opportunity to visit the senior campus of Bayside College and meet campus principal Rob Evans and a number of the school leaders. To say they were anything but ecstatic about the latest budget announcement would simply be an understatement; they were enormously pleased. This is a project which they thought they would never see delivered under any colour of government, so to have it delivered under this government is an outstanding result from their point of view.

They have worked very hard to provide their students and teaching staff with the very best opportunities and facilities. I particularly want to thank and acknowledge Bayside College principal Mike Kerin and, as I mentioned, senior campus principal Rob Evans, college council president Steve Kingshott, and the other members of the school community for creating that vision and then persevering to ensure the best of all possible outcomes for their students.

It was very pleasing earlier in the week to see round 2 of the federal government's Building the Education Revolution money flow through for a number of other schools in the Williamstown electorate. Most pleasingly, a total of \$3.24 million in funds will flow through to Newport Gardens Primary School, which will essentially allow it to move from stage 1, which has been funded under this government's budget programs, to stage 2. At the conclusion of stage 2 we will see a completely rebuilt school in Newport. A number of other schools also received funding under round 2 of Building the Education Revolution.

Whilst on the issue of education it is appropriate to acknowledge the investment that this budget makes in skills, and as part of my contribution I want to acknowledge that the 2009–10 budget provides \$141 million over five years for additional investment in skills-related initiatives.

I was particularly pleased to see that \$10 million has been allocated over the next two years to the new workforce partnerships program. This is alluded to at page 329 of budget paper 3, which makes reference to new workforce partnerships. It says:

Funding is provided to continue the New Workforce Partnerships program for disadvantaged job seekers. This program establishes partnerships with employers in key industry sectors and links Victorian jobseekers facing persistent labour market disadvantage to jobs in those industries.

I commend and congratulate the Minister for Skills and Workforce Participation for advocating so passionately for this to be included in the budget. The minister understands that an investment like this will go a long way in assisting hundreds of job seekers who face multiple barriers to employment secure long-term job opportunities.

These can include young people coming out of our juvenile justice system and looking for a second start in life. Having worked with the YMCA Bridge Project, I can say from personal experience that the YMCA would not have been able to give 50 young people right across Victoria a second start in life, establish job networks and provide or open doors for those young people without the assistance of the funds that flow through from the Victorian government in this area. I was pleased to learn that of the 50 young people who have come out of our juvenile justice system with the assistance of funding through the new workforce partnerships program, not one has reoffended. I am sure everyone in this house would approve of that situation.

I will move on to the transport portfolio. The Treasurer said in his budget speech that this budget delivers:

an unprecedented level of investment that will deliver the transformational rail, road and freight projects needed to underpin economic growth and support our growing population.

Heading the list of investments are: \$562 million to extend the Epping rail line to South Morang; three new train stations in high growth areas, Williams Landing, Lynbrook and Caroline Springs; the purchase of 20 new trains; the electrification of the Sydenham line to Sunbury; commencement of the new 26-kilometre Peninsula Link between Carrum Downs and Mount Martha; major upgrades to the Western Highway; and construction of the Dingley arterial.

Victoria has also benefited enormously from recent public transport announcements in the federal budget. It was pleasing that the Rudd government committed a massive \$3.2 billion to the regional rail link project. This is an outstanding boost in many ways for the people of both the western suburbs of Melbourne and the state of Victoria. It is a project that will secure at least 2800 jobs during construction and provide capacity for more than 9000 extra passengers every hour on our rail network. In fact, the regional rail link

project is the single biggest investment in the metropolitan rail network since the city loop was built, and the first major new rail line for metropolitan Melbourne in 80 years.

The new rail project will create up to 50 kilometres of new track between Werribee and Southern Cross station. It is a mighty win. On completion of the project people travelling from Geelong, Ballarat and Bendigo will be able to travel all the way from their point of origin to the central business district without being entangled in the metropolitan rail network.

Before I leave the issue of transport, I want to congratulate the Minister for Roads and Ports for his strong support of cycling paths as part of this budget. I very much welcome the \$13 million for bicycle lanes and shared walking and cycling paths, including the extension of the Federation Trail between Millers Road, Altona and Williamstown Road, Yarraville. This is in addition to a commitment to build an off-road shared path from Hyde Street, Yarraville, to Footscray Road.

I also want to acknowledge that this budget delivers for vulnerable Victorians. The budget secures jobs by continuing our record investment in infrastructure. It delivers more for our roads, rail network, schools, hospitals and police. It has us working shoulder to shoulder with the federal government.

Mr R. SMITH (Warrandyte) — I rise to speak on another Brumby budget that is built on two Labor staples: debts and lies. Last year when I rose in this house to speak on the budget I referred to the government's debt of \$23 billion. I made the statement that given Labor's record no Victorian would believe this government would stop at \$23 billion.

Here I am, only one year later and Labor's debt has now blown out to \$31 billion. I again ask Victorians if they really think that the government is going to stop there. With 10 years in government and \$300 billion in revenue, the Labor Party is staying true to form and running up the credit card yet again, with absolutely no idea about how it is going to pay it back. The Premier has been running around telling everyone that everything is okay, using the same lines that former Treasurer Rob Jolly used back in the late 1980s when he, along with former premiers Cain and Kirner, took this state to near bankruptcy. We all remember the Guilty Party; we all remember what happened. Nothing has changed — only the faces have changed.

The lies begin with the Premier telling us that his sound economic management produced a budget surplus. I can tell Victorians that anyone with a calculator can see

that that is absolute rubbish. Without the \$2.8 billion handed to this government courtesy of the Australian taxpayer, we would be in an enormous hole. The Premier did not create this surplus. Let me make that very clear: it was handed to him on a plate courtesy of the Australian taxpayer.

The next line that gets trotted out by the Premier is, 'No new taxes'. The people I saw on the steps of Parliament House this afternoon tell me that that line just has not washed with the Victorian public. The growth areas infrastructure contribution is a new tax of \$95 000 per hectare that is going to be imposed on landowners. I wonder whether the government thinks that that is a voluntary contribution. I see it as a tax, and so too did the people who were standing out there this afternoon.

The next thing the Premier tells us is that this budget is committed to jobs. He tells us that 35 000 new jobs are being created by this budget. I have listened to government member after government member stand up in this place and tell us that this budget has created 35 000 new jobs. In that respect I would like to read from an article published in the *Age* of 10 May, headed 'Brumby's "new jobs" may not add up'. It states:

The government has admitted the figure includes existing jobs from projects already under way.

...

According to the Treasury paper, *Employment and Public Infrastructure — An Estimation Framework*: 'These estimates are not a measure of "additional jobs" from "additional construction", as they cover the employment associated with the total construction-related investment program in Victoria in 2009–10'.

Matt Nurse, spokesman for Treasurer John Lenders, confirmed that the figure was not all new jobs, but was unable to provide a breakdown of how many of the 35 000 jobs were existing or new.

Although Mr Brumby and at least one of his ministers claimed the jobs were 'new' in Parliament, elsewhere last week they were careful to say the government was 'securing', 'supporting' or 'stimulating' the 35 000 jobs. The jobs were also not, as Mr Brumby claimed, all 'direct new jobs'.

Nothing stops member after member on the other side claiming that this budget is creating 35 000 additional jobs, despite the Treasurer's own office telling us to the contrary.

I next refer to education. The Treasurer said this budget delivered \$4.1 billion to continue to build a high-performing, first-class education system in Victoria. Again we find the truth is quite different. The bulk of the money the budget is apparently delivering is federal government money, not state money. If we turn to the government website, we see a map of Victoria

with blue triangles all over it, ostensibly showing us where the money from this budget is being spent. If we look more closely behind the blue triangles, we find most of them highlight federal government projects in our schools. If we take away these projects, we find the map of Victoria becomes a bit less crowded. Of course we can expect this sort of fraudulent behaviour from the Minister for Education, who regularly ignores the facts in favour of spin.

Just recently in this house the Minister for Education stated that the Brumby government has a very clear plan, referring to the Victorian schools plan, for rebuilding, renovating and extending every government school over the next 10 years. That is what the minister said, yet a report handed down by the Auditor-General said the exact opposite. The Auditor-General stated that he did not find a clear documentary trail explaining the basis for selecting schools for inclusion within the initial Victorian schools plan funding commitment. The minister says one thing when all the facts point to something else entirely. I say on this issue that, true to form, the schools in my electorate failed to receive one dollar of state funds for infrastructure or to manage their maintenance backlog. They continue to be left in the dark about when their maintenance issues will be addressed.

I now refer to health. Page 21 of budget paper 3 states:

Since 1999 the government has invested in delivering better health outcomes...

In my own area almost a third of semi-urgent patients at Maroondah Hospital are seen outside the government's own target time frame of 90 days. At Box Hill Hospital, another hospital that services my electorate, the figure is even worse, with almost 50 per cent not seen in that time frame. Acting Speaker, 85 000 patients wait more than 8 hours in emergency departments because of a lack of beds, 20 000 emergency patients are not seen inside the government's target of 10 minutes, 98 000 urgent patients are not treated within the government's target of 30 minutes — and the list of failures goes on. These figures do not come from the opposition but from the government's *Your Hospitals* report.

Courtesy of the Auditor-General we also know that the Minister for Health presided over Victorian hospitals that were consistently manipulating their figures and had been doing so for some time. Of course the government accepts no responsibility for that. The Minister for Health told us that he knew nothing about it, but the national secretary of the Health Services Union, Kathy Jackson, is on the record as saying in the *Age* of 4 April:

Health minister Daniel Andrews claims that he didn't know about the issues ...

That's not true, I sat in his office more than a year ago and told him all about it

Who do we believe? Do we believe the union leader or do we believe the health minister? I will leave it to Victorians to decide who is telling the truth in this case. I cannot believe that the government can say in this place that it is doing a great job in health when it consistently fails to meet its own targets and we have thousands of people on waiting lists that apparently the government knows nothing about.

Page 33 of budget paper 3 tells us that the government investment:

... has resulted in a 24.5 per cent reduction in the overall crime rate since 2000–01.

The Minister for Police and Emergency Services frequently uses official Victoria Police statistics to support that claim. Again the Auditor-General tells us something that we already knew — that these statistics are wrong. I quote from the April edition of the *Police Association Journal*, in which the secretary, Greg Davies, states:

... the Ombudsman has confirmed much of what members have been continually telling us for quite a while; that front-line police numbers are not adequate and that crime statistics released by the force understate the true prevalence of crime in Victoria.

The onus is now on the Brumby government to stop sitting on its hands, go beyond lip service and take meaningful action to remedy these problems. We intend to hold them to account on both fronts.

The coalition intends to hold the government to account also. In the same edition of that journal there is a story about residents in the western suburbs rallying for more police. This article states in part:

Local members and the Minister for Police and Emergency Services, Bob Cameron, were invited to speak at the rally and their absence was highlighted by seats bearing their names sitting empty throughout the meeting.

A photo accompanies this article. It shows chairs with labels on them indicating who was not there: the police minister, the member for Kororoit, the member for Derrimut, the member for Keilor — —

Mr Seitz — I was there.

Mr R. SMITH — The member for Keilor says he was there, but I have it on good authority that he turned up after the rally had finished. I make the point that one Victorian member of Parliament was there — Bernie Finn. Bernie Finn, a member for Western Metropolitan

Region in the other place, is a proud Liberal Party member and a proud supporter of and advocate for people in the western suburbs. I am proud to serve in this place with him, because he is one man who defends the western suburbs.

It is easy for the Labor members I have mentioned to get up in this place and say that violent crime is down and that there are plenty of police, but they do not have the guts to get out and feed the same lines to their own constituents. That is a real shame. Last week the Minister for Police and Emergency Services said in this place that violent crime was down, and he was proudly thumping his chest. Only last Monday four more stabbings were reported on that one day. The minister thinks we can have a walk together and that will fix the problem. This government has done nothing. The police minister has sat on the sidelines, wheeling himself out only for photo opportunities. It is an absolute disgrace.

Page 210 of budget paper 3 tells us of 'long-term solutions to secure Victoria's water supplies'. The Minister for Water often tells us that the north-south pipeline is an integral part of the government's plan to provide Victoria's water supply in the future, as apparently is the desalination plant. Yet again we learn the truth later. The *Age* of 29 March states under the heading 'Water projects "not needed"':

The controversial \$750 million north-south pipeline is unnecessary and the desalination plant could have been avoided with greater efforts to cut water use, according to top-level advice delivered to the state government just weeks before both projects were announced.

The advice was contained in a secret, cabinet-commissioned water plan delivered to ministers early in June 2007.

It is not just the economic projections that are dodgy in this budget; the whole premise of the budget bears absolutely no relation to reality. This government relies on spin instead of policy, procrastination instead of action and rhetoric instead of debate. Over the course of this debate we have seen that when government members are unable to defend the actions of their front bench, they just attack opposition members personally instead of defending their arguments.

When I first came into this place when Premier Bracks was in charge I was often discomfited by the fact the government operated with spin, half-truths and exaggerations. What has happened since the member for Broadmeadows has taken over the helm is that we have just moved to outright lies. We have just moved to a place where barefaced lies are the norm. Ministers routinely tell us they do not know what is happening in their own portfolio. They routinely do not accept

responsibility for it. If things do not play out as the government wants them to, the mantra just changes in Orwellian fashion. It is just as if the previous statements were never made at all. It is unbelievable.

This budget has also comprehensively failed to deliver anything to the electorate of Warrandyte. There are 16 state schools in my electorate, which have tens of thousands of dollars of maintenance issues, but not one dollar from this budget was given them to assist them with these maintenance issues, to relieve the pressure on school communities and to stop parents putting their hands in their own pockets to fund urgent repairs.

There are two police stations in my electorate of Warrandyte, but not one dollar was allocated from this budget to assist the hardworking police in those police stations in the electorate of Warrandyte. There are a number of traffic problems in my electorate, but not one dollar was allocated from this budget to relieve congestion or to deal with the different safety issues that exist. There are issues surrounding the pollution of local waterways such as the Mullum Mullum Creek and the Yarra River, but not one dollar was allocated from this budget to fast-track the septic tank replacement backlog in the Park Orchards and the Warrandyte area. There is an urgent need to redevelop Ringwood railway station to address a number of disability and security issues, but despite calls from the police, from the community, from local council and from traders, not one dollar was given from this budget to even begin work on the project.

I reiterate the point the member for Malvern made earlier in the debate: his electorate and my electorate have been doubly hit by this budget. Not only are the people of my electorate and their children and grandchildren going to be stuck with paying the \$2.2 billion a year in interest payments, but they did not receive anything tangible in their own area.

What makes me laugh is that the big questions on the lips of members of the Brumby government are not 'How are we going to get the trains to run on time?', 'What are we going to do about the violence in our area?', 'How are we going to solve the water supply issues?' or 'How are we going to ensure that our kids are educated properly?'. The big question on their lips is, 'What are the coalition policies?'. 'Help us', they say, 'we need answers. We haven't got any ideas. We don't know what to do. Please, can the coalition tell us what their policies are so that we can use them?'

This government is tired, it is inwardly focused and it offers nothing of substance to Victorians, because the ALP is not here for Victorians. Its sole aim in

government is just to ensure that it stays in government. The Brumby government has failed to plan, it has squandered the good times, and now it expects Victorians to foot the bill. Despite the Premier's best efforts to spin the bad news in this budget, Victorians are increasingly coming to realise that the government's glossy brochures and taxpayer-funded television advertisements bear absolutely no resemblance to reality.

Honourable members interjecting.

The ACTING SPEAKER (Mr Jasper) — Order! Before calling the honourable member for Preston, I ask the three ministers who are talking to desist, as it will help their member who is on his feet.

Mr SCOTT (Preston) — It gives me great pleasure to rise to speak in support of the Appropriation (2009/2010) Bill. It is an excellent budget and represents a very forward-thinking, thoughtful response to the world economic and financial crisis as it relates to Victoria. It is important to examine this budget in the context of what is going on in the world. In the view of many scholarly economists, the world economy faces its most serious crisis since World War II, with the first period of negative world growth recorded since that great crisis.

The chairman of the United States Federal Reserve, Ben Bernanke, summarised the causes of the crisis in a speech in 2009 as follows:

For almost a year and a half the global financial system has been under extraordinary stress — stress that has now decisively spilled over to the global economy more broadly. The proximate cause of the crisis was the turn of the housing cycle in the United States and the associated rise in delinquencies on subprime mortgages, which imposed substantial losses on many financial institutions and shook investor confidence in credit markets ...

It is important to understand that this was not a crisis caused by the Victorian government. It was not a crisis caused by policies within Australia. It was a crisis caused by international events; a crisis caused by the securitisation of debt incurred in the US housing market and its onselling into the wider financial markets. It was caused by the prevalence of so-called ninja loans — a person with no income, no job and no prospects — and resetting mortgages which switched to much higher interest rates after a honeymoon period and caused great financial hardship and financial loss. Subsequent to this financial crisis there has been a broader economic impact.

Learned American economist Paul Krugman noted in his blog and reproduced tables showing that the world

industrial output has actually dropped at a similar rate to the period after June 1929. Further, the volume of world trade has declined more markedly than the period at the start of the Great Depression in the 1930s and late 1920s. These are indeed serious times. I urge members to watch a documentary on the American *Frontline* program on the PBS network, which noted that in September last year there was a meeting of the law-makers of the Federal Reserve and the Treasury which indicated that if action was not taken in 24 hours, the entire financial system of the world as we knew it would collapse. These are indeed serious times, and they require serious action. This budget responds to that.

I have to comment on some issues raised by opposition members that indicate an opposition to the raising of debt. This is an important issue. I would think that anyone with the most passing interest in post-Keynesian economics in response to the depression would know that borrowing in order to finance capital expenditure in response to serious economic crises, if conducted prudently and thoughtfully, is a reasonable response.

Such a person would know, secondly, that in Australia we have a vertical fiscal imbalance. I note that opposition members railed against and seemed to be abusing the Victorian government for being successful in securing federal funds. I find this a most extraordinary and foolish position, because the Victorian government's having managed to secure federal funding is a success story of which I am very proud.

The fact that the government has been able to secure a large proportion of the funds being spent in the stimulus package that the federal government has created in response to the crisis, and that we have been able to invest in Victorian production, education and transport infrastructure, is something I would hope every member of this Parliament would be proud of. It reflects very positively on the Victorian government and its ability to respond to challenging economic times and its ability to work with the federal government.

As we have a vertical fiscal imbalance it is not surprising at all that more funds are raised by the federal government in taxation revenue. In fact it is a normal part of fiscal relationships within Australia that money raised by the federal government is expended by states and that in responding to this crisis Victoria is using that mechanism.

The fact that it is highlighted as something extraordinary by opposition members frankly shows a

wilful ignorance of normal financial relations within Australia and an attitude almost of ignorance being bliss or being worn as a badge of honour. I frankly condemn members of the opposition for not understanding that the Victorian government has undertaken a very successful process of lobbying the federal government, one of which we are proud and one which has served the people of Victoria well.

Returning to broader economic conditions, I note that the International Monetary Fund has commented that world economic growth will be negative for the year 2009 and forecasts that one of our major trading partners, Japan, will experience negative economic growth to the tune of 6 per cent. If members are interested, that is on budget paper 2, page 22.

This shows the gravity of the situation we face. As I said earlier, in responding to these circumstances it is prudent and reasonable to invest in and expand infrastructure, firstly, to cushion the impact of the recession in Victoria, and secondly, to expand Victoria's productive capacity so that when the recovery comes, as it will, we will be in a position to grow more rapidly and expand our economic activity, bringing more wealth and prosperity to the people of Victoria.

Another indicator of what is going on in the economy is noted on page 26 of budget paper 2, which is the increasing household savings ratio, as people de-leverage their household budgets. As members would be aware, there has been a great increase in household debt, and a reasonable personal response to these challenging times has been families seeking to decrease that debt. This of course decreases demand in the economy and has the effect of decreasing economic activity.

To return to Paul Krugman, he commented that one of the key problems at the moment is not a lack of savings but a lack of economic demand and activity. Hence the response of expanding government activity during this time is a reasonable and rational response in these circumstances and one that is prudent and thoughtful, particularly when borrowings are being used to finance infrastructure and investment, which will again provide jobs and expand economic activity into the future. That will only benefit the Victorian community.

Again I would touch upon page 28 of budget paper 2, which discusses economic trade. While it touches upon the expectation that net trade is expected to make a small but positive contribution to Victorian GSP (gross state product) in 2008–09 and 2009–10, budget paper 2 also notes major trading partners such as Japan and

Korea are suffering from extremely difficult economic times. This again casts a shadow over the Victorian economy.

However, thankfully Victoria is entering these dark economic times having had sustained strong economic management. I think the best measure of economic management is how people vote with their feet. There is no spinning population movements. There is no spinning whether people want to live in one society or another, or whether people want to live in one part of a country or another.

Victoria has been experiencing large levels of migration from interstate, in contrast to the past, when many Victorians were leaving. Large numbers of people are also coming from overseas and wanting to live in Victoria. I note that the Victorian population grew by 1.8 per cent in the last year and has been running at levels much higher than in previous years.

This is essentially due to the good management of the Victorian economy and Victorian society. No matter how opposition members spin it, I believe in the good sense of ordinary people. People make a choice about where they live. We live in a free society, which means people can live where they wish within Australia. Further than that, people make difficult choices to leave their homes overseas and come to a foreign country, and many choose to come to Australia and then choose to live in Victoria, because it is a fantastic place to live — and it is a fantastic place to live because there has been good, solid government, good economic management, good social policies and good service delivery. These choices, more starkly than any words from opposition members, show how Victoria has been managed in the last 10 years.

Another indication of the good management of the Victorian economy underpinning this budget is the high number of building approvals for the year from March 2008 — that is, approvals to the value of \$20.5 billion, the highest in the nation. Victoria, which has a much smaller population than New South Wales, led the nation in the number of building approvals. This is an example of the sort of government we have and the sort of stage that has been set for this budget.

In terms of infrastructure investment, it is useful to examine the level of infrastructure and its nature. Opposition members, when discussing this matter, often use the phrase 'putting it on the credit card' or other derogatory terms, which completely misrepresent the nature of these sorts of investments. In the year 2009–10, general government sector net infrastructure investment will be approximately \$7 billion, and that is

to meet the crisis that exists at the moment in the economy.

After that period infrastructure investment will decline. It will decline for rational reasons, because at that point the stimulus package will not be needed as much and the economy is likely to be recovering, but there will be a net impact on general government sector real capital stock per capita so that the level of infrastructure in the society per capita will increase. That is ably shown in a table on page 12 of budget paper 2, which indicates the government general capital stock will increase from the 2008–09 figure of just over \$12 500 per capita to over \$13 500 per capita, in 2008–09 dollar terms, by 2011–12.

We are investing money to fight the recession, which will lead to more capital stock per person in real terms. This is an excellent budget which responds sensibly and will create jobs and expand the economy in the face of these challenging times.

I will touch upon the fantastic South Morang rail extension in the northern suburbs where I hail from. This is a project that has been talked about for a long time but is making a great difference to residents who live in the northern suburbs and on the Epping line. As someone who uses the Epping line, I know this will make a fantastic contribution to the lives of ordinary people commuting to work and ordinary families with children travelling to school. It will make a vast difference, and it is the sort of thing that a Labor government can be proud of. It responds to the needs of ordinary people who work hard and struggle to raise a family.

On a local note, there are myriad schools that will receive funding. A lot of this funding comes from the federal government, but I am proud that we belong to a state government that has successfully lobbied for schools in my electorate to receive needed funding — schools like Bell Primary School, which will get a library and learning neighbourhood for \$2 million. There are myriad other primary schools in my electorate that are receiving funding. Preston North East Primary School is another school that will receive a new library for \$2 million. Preston Primary School will also receive a new library for \$3 million, Preston West Primary School will receive a new multipurpose hall for \$3 million, and Reservoir Primary School will also get the construction of a new library for \$2 million.

These and other investments show the commitment of both the state and federal governments to ensure that every child has an education as a principle. A principle that guides all Labor members of Parliament is that every child in our society deserves an education that

will give them every opportunity in life. We are a meritocracy whereby your skills, intellect, capacity for work and willingness to put effort into your schooling will open up pathways in life where your fate is not dependent on the name of your parents or their material resources and where your fate lies in your own hands. These investments which have been given to schools in my electorate through the process of the stimulus package are an excellent example of improving facilities to give people choices in life and to create opportunities in life to build futures and give people the opportunity to build a life around their own talents and skills.

This budget is an excellent budget — a budget that responds responsibly and thoughtfully to difficult economic times. It invests in infrastructure that will both mitigate the worst aspects of the global downturn and build for the future, creating opportunities for accelerated economic growth. Better social infrastructure will lead to more equality in society. I commend the budget to the house, and I urge its speedy passage.

Mr THOMPSON (Sandringham) — On Saturday, 30 May, I met with many constituents in a series of street corner meetings. The ideas of Mr Brian Jacobs stood out. He expressed concerns regarding front-line police capability in the face of increasing community violence; the need for more surveillance cameras to protect the community and identify graffiti vandals; the inadequacy of Victorian hospitals; our water supply; and the need for baseload energy to support jobs, heating and industry. He also expressed concern regarding the lack of Victoria's preparedness to combat fire hazards in the knowledge that we have a fire-prone land. It will burn — it is going to burn — unless we get someone with an ounce of practical common sense. He concluded with a demand on behalf of him and his wife for greater defence of our standard of living.

The question to be asked in the light of the Appropriation (2009/2010) Bill is: is the current Victorian Labor government up to the challenge? Historically the Kennett government inherited a massive \$32 billion deficit from the Kirner Labor government. With tough measures and a vision for the future it passed to the former Bracks government a state that had been put back on track. This year the Brumby government has advised Victorians that they face a budget deficit. Yes, the world is facing a financial meltdown, but if the government cannot deliver services and infrastructure projects in the good years, how will it manage in the bad years? As a constituent rightly noted in a summary of the budget, 'It is a most

meticulous analysis of all aspects of the Brumby government's debt spiral'.

Let us look at the government's recent record. The billboard messages outside Southern Cross station and Flinders Street station should scream, 'It's a sell-out!'. The Brumby government has sold out public transport commuters, raised the white flag and given up. There is standing room only. In Melbourne if you are trying to get home from the city or the racetrack, you have to pay your money and take your chances. It becomes an each way bet. It gives new meaning to the public transport commuters' maxim, 'We're all in this together'. Never have Victorian public transport commuters given so much and received so little.

What Victorians require is a government which has the preparedness to be accountable for its actions. The provision of a safe, efficient and reliable transportation system is one of the core responsibilities of state government. At a time when people cannot get to work on time because of a failing transport network, seats are to be removed from trains to allow additional standing room and commuters have to push their way onto trains and then remain close to doorways if they wish to exit at stations prior to the final destination.

Business interrupted pursuant to standing orders.

Sitting continued on motion of Mr BATCHELOR (Minister for Community Development).

Mr THOMPSON (Sandringham) — Documents not included in Auditor-General Des Pearson's myki parliamentary report show the full cost of the Transport Ticketing Authority to be about \$1.35 billion on a system that is yet to work. The government has consistently maintained the implementation costs would be \$494 million. Recent testing has identified major flaws. Perth was the first Australian city to roll out a smartcard system, which has been fully operational for one year; it was implemented at a fraction of the Victorian cost.

At a recent transport forum the head of the Department of Transport, Jim Betts, said that Melbourne was becoming more like London, Paris and Tokyo, where overcrowding on public transport was a fact of life. His headline quote was, 'Welcome to the Western world. This is what happens'. Soon we will see a Hawthorn Football Club supporter not just standing on the back of a train but upon the roof as Victoria's public transport emulates the overcrowding of trains on the subcontinent.

While for years the Bracks and Brumby governments have urged the public to use public transport, they

failed to put measures in place which would cater for the increased demand. They have thrown up the white flag. Their 10 years of underinvestment has brought about this situation and commuters will continue to suffer as a result. At a cursory glance every government in the world is judged on its public transport — that is, that the trains run on time.

What ranking then does a government get when the trains do not run at all? Demand for public transport is driven by reliability and journey time. A workable metro system implies frequent services all day, at 10 minute intervals. To many naive train travellers it means at least being able to stand in comfort on a train. The present order for new trains is too little, too late.

Following 10 years of the failed Bracks and Brumby Labor governments fast trains that arrive 5 minutes quicker have cost taxpayers over \$1 billion. They have also failed to reopen the passenger line to Mildura, restore the Leongatha line or electrify the line between Cranbourne and Cranbourne East.

This year, 2009, has seen the fudging of hospital waiting list figures exposed. For eight months the government publicly refused to investigate doctors' allegations of hospitals manipulating data to obtain bonus funding from the government and to avoid punitive measures. In March it was confirmed that a number of hospitals had been fudging their figures on elective surgery waiting times. Once again the government refused to investigate reports that had been given to it — and all the time that hospital waiting lists blow out, ambulances are turned away from hospitals, and the elderly are discharged from hospital without adequate support services having been provided. There is nothing sweet about this fudge.

Whether it is hospital waiting lists or just plain waiting, things do not get better. A Melbourne resident recently wrote to me about his experience with his elderly mother. He spent some 10½ hours in hospital with her as she sought treatment for a medical condition. In his mind the biggest casualty of the health system has been the truth. The Sandringham hospital is in need of a major upgrade but the government is yet to come onboard with any major infrastructure funding.

In the realm of education the Brumby Labor government spends less per student on education than any other state. It also fails to provide a safe and conducive environment in which teachers and students can work. A volunteer who has been working in the area of reading recovery for some 17 years vigorously supported the reinstatement of technical schools, which formed a part of the Liberal Party's last election policy.

She is of the view that hands-on technical education from year 7 would address the problem of a large number of students who are supported in their primary years but who are unable to meet the demands of the current secondary curriculum. A technical education system from year 7 would enable them to be retained in an appropriate educational setting.

Huge amounts of money are being spent by both the Rudd and Brumby governments on plaques — \$1.4 million; and roadside signs — \$2.7 million, to publicise school building infrastructure investment rather than to redirecting such funding to support innovative reading projects across Melbourne such as the volunteer program at Moorabbin West Primary School or integration aide support for young children with high needs.

After the budget was announced in this place last month, a frustrated secondary school principal who is tired of rotting windows which cannot be opened wrote to the *Age* to raise awareness that the rhetoric of both the Brumby and Rudd governments is not matched by action. Identified twice in three years as a school with one of the highest levels of unfunded maintenance needs, Sandringham Secondary College failed to attract additional funding in the state budget as well as being ignored as a recipient of recent federal government funding.

Sandringham East Primary School is another school operating in outdated and aged buildings. It has a master plan but no government will or cash to implement it. Beaumaris North Primary School and Cheltenham Primary School are also schools which require an immediate injection of maintenance and/or funding for rebuilding.

I note that Beaumaris North Primary School has received federal funding, but according to a parent of a child at the school there was major controversy in relation to the siting of the new building when there was insistence that it be placed at the front of the school, when it was his understanding that it be relocated towards the back of the school grounds.

Mentone Primary School reported that a large increase in enrolments for 2009 had put huge pressure on infrastructure. Air conditioning of classrooms was also an issue, with most schools reporting that the air conditioners in place had been provided by fundraising initiatives. Air conditioners are considered essential in office situations but our classrooms are being left overheated.

We have heard members in this place speak about the provision of funding for schools in their areas. This budget has failed to make provision for basic capital maintenance upgrades for schools in the Sandringham electorate, which is an absolute disgrace. Yet in the marginal adjoining electorates, \$9 million has been spent on one school and \$6 million on another. I repeat: there is nothing for schools in the Sandringham electorate. This discrimination against students in my electorate and in the Bayside area is something about which the government should be held to account.

As a member of the Electoral Matters Committee of the Victorian Parliament I also draw the attention of the house to the defunding of Melbourne's Electoral Education centre which is funded by the commonwealth. The centre was relocated to Lonsdale Street and refurbished late last year at a cost of about \$1 million. At a time of increased spending to maintain employment, the centre will put the jobs of six staff at risk and deny Victorian schoolchildren the opportunity to learn about the workings of democracy.

The centre is reported to be run at a cost of \$400 000 a year. That is just two federal minister Peter Garrett trips overseas with his entourage. The closure of the centre has been condemned by the coordinator of the Democratic Audit of Australia, Brian Costar, a Swinburne university political science professor and a person well known to members in this place. He notes:

It is particularly bad policy to close a centre which educates primary and secondary school students about democracy and voting at a time when there are 1.2 million eligible Australians who are not even on the electoral roll ...

Public housing is in huge crisis. Recently there has been major controversy in the Sandringham electorate and the Bayside area regarding elderly people who have lived in their homes for 36 years and 45 years respectively. They have been asked to move out of the homes they have spent the greater part of their lives in and where they have their neighbourhoods, their medical services and their friends. This is a matter that was raised in this place just a few days ago. I also have a constituent who has been in Hanover emergency housing for four years. Hanover has recently begun a program of issuing eviction notices to long-term tenants, as it no longer has a pool of emergency accommodation and is reliant upon placing emergency applicants in motel accommodation. I have been informed that the reality is that under the current system none of these applicants will ever be placed in public housing.

In the case of planning there is major controversy about planning decisions being taken away from local

councils, which is confirmed by the public demonstration held today. Planning legislation was recently described by an *Age* correspondent as 'a wolf scantily dressed in lamb's clothing'. How else could you describe a 100 unit commercial residential project with two social housing units? Planning is a major issue in the Sandringham electorate. Highett and Mentone residents recently rallied to oppose applications for large developments in those suburbs, with the Minister for Planning proposing that more decisions be made by appointed panels. This will effectively mean that despite the current Premier's notion of empowering local communities, which he articulated in the document *Restoring Democracy*, planning decisions have been taken away from local communities. There is a great disparity between promise and performance on the part of the Labor Party. The proposal to remove considered and adequate scrutiny of developments is a prospect that most Victorian homeowners are not prepared to accept.

Then there is the issue of land tax. Many Victorian landowners face massive land tax increases of up to 300 per cent this year. The land tax bills are based on 2007's inflated property prices, yet since then Victorian property prices have fallen. When the Premier axed the 50 per cent cap in increases to land tax bills last year, he knew that the government would get a huge tax windfall from the property bubble. Based on its revised land tax system for 2008–09 of \$1.176 billion, land tax revenue will have increased by over 200 per cent since Labor was elected to office. The land tax hike comes at a time when many Victorian business and property owners are confronting the impact of serious economic decline.

In relation to local traffic, local roads are unable to cope with the volume of traffic as a consequence of the increased urban population in Melbourne. Elderly citizens are unable to cross some of those roads owing to the lack of pedestrian crossings. This is a situation that will become increasingly aggravated as a result of the continuing population increase.

I turn to the Dingley bypass, which remains incomplete despite the remarks made by the former Premier Steve Bracks in May 1999 in the *Mordialloc Chelsea Leader*:

If we were elected last time in 1996 we would have built the Dingley bypass, and if elected we will do it.

It remains not even half completed.

Then we have the issue of the decline of the manufacturing sector in Victoria, which has been declining since 1999. In 2008 manufacturing business investment in Queensland exceeded that in Victoria for

the first time. I take this opportunity to congratulate Ronstan International, a manufacturer of sailboat hardware, architectural cable and rod tendons, for its succession of major export awards. This innovative local company is a shining light as many manufacturing companies continue to depart our shores.

I would also like to congratulate the Vietnamese community and Mr Hung Chau on their contribution to Victoria since the time of their arrival in the 1970s and thereafter. I also note for the record that the Vietnamese community is currently seeking support from the government for a number of community programs to address their unemployment rate, their high involvement in the justice system as a result of unemployment, particularly the loss of manufacturing jobs, and their ageing population. The government is not up to the task.

Ms ALLAN (Minister for Regional and Rural Development) — I am delighted to join the debate on the Appropriation (2009/2010) Bill, because it is an outstanding bill for an outstanding budget. It has been a great budget for both my electorate of Bendigo East, which I will come to in a moment, and my two portfolios. I will start with the skills and workforce participation portfolio. This budget provides a range of initiatives that are going to build on the enormous efforts this government has made in supporting education and training opportunities for people, young and old, right across the state. As members of the house will know, last year we released the \$316 million skills reform package *Securing Jobs for Your Future*, which is the single biggest investment in skills training in this state's history.

In this year's state budget we have also brought to book a further \$120.9 million of new initiatives to support those skills reform initiatives. Most importantly, this includes an allocation to a new program called the Skills to Transition program. This is a \$13.8 million program that is going to provide additional training support for more than 6400 retrenched or at-risk workers. This is an important initiative at this point in time, because we know that with the challenges of the economic downturn we have to support the people who are going to be most at risk and who are most vulnerable as a result of job losses. We also know that during this time we need to keep our focus very much on training and on giving people training opportunities. Having a dedicated program to support people who have been retrenched or who may be in an industry that is at risk of losing jobs is going to help them to get the skills they need to find new job opportunities.

We know there are new job opportunities out there for those people whose skills are in demand, and the Brumby government wants to support people in getting those new job opportunities. Alongside a range of initiatives for supporting the implementation of our skills reform agenda there is also nearly \$70 million for a new student management system that will be going to every single TAFE institute across the state.

There is funding of \$3 million to develop a new aviation training academy that will be based at Melbourne Airport. This will be a fantastic initiative, bringing growth to our region in aviation services. We want Victoria to be an aviation hub; we do not want it to be just a place planes fly in and out of. We know there are huge opportunities for maintenance works and for engineering works to be located here in Victoria. One of the keys to attracting companies to locate here in Melbourne or Victoria is having the appropriately skilled workforce. That is what this initiative supports.

Finally, the government is also providing a further \$10.2 million to our new Workforce Partnerships program, which has been great at supporting disadvantaged job seekers to get into the workforce, and we are providing additional funding for that to continue over the next two years.

In my regional development portfolio, it is another great budget that delivers for regional and rural Victoria. No matter what part of the state you live in, from the smallest country town to the largest regional centre, this is a budget that has something for everyone. Alongside the large raft of initiatives in other portfolios, across road, rail and education, there has been significant investment again in vital services that help make regional and rural Victoria the best place to live, work and raise a family.

Let me mention a couple of specific initiatives that come under my portfolio. These are initiatives that support the implementation of the Victorian transport plan. There is funding in this budget of \$7.5 million for local roads to markets; \$20 million to help upgrade our regional airports; and \$10 million to develop the great network of rail trails and cycling paths that we have across regional Victoria.

Everyone who is involved in cycling knows that it is booming as a sport. It is great for people who want to spend some time with their family and get out into the fresh air in the country and maybe take in some of the beautiful wineries that are around provincial centres and rural towns. It is a great way to do it: on a bike on a rail trail the construction of which will be funded by the Brumby government.

At the outset I said this was also a great budget for Bendigo East. Of all the budgets that we have handed down over the last 10 years, I think this was perhaps one of the proudest moments for me as a local member, as it has a significant amount of funding for a major infrastructure project that is so critical to the future of Bendigo and the future of our region. I talk of the \$55 million that is allocated in this year's budget to kick-start works on a new hospital for Bendigo.

That significant allocation of funds is going towards what will ultimately be the biggest infrastructure project ever in Bendigo. A new hospital for Bendigo is a significant development. It will be built on what is known as the Ann Caudle site, and the money in this year's budget will provide for further planning and development works, but also for works to start on moving some of the infrastructure currently on that site to enable works to start on a new hospital. This is a massive boost for health services in our region, but it is also a massive boost for construction jobs in Bendigo.

I would like to put on record the considerable support for this project that came from the Premier and the Minister for Health, without whose support we probably would not have had the funding in this year's budget for a new Bendigo hospital. I know that I also speak for the member for Bendigo West when I thank them for their commitment to this new hospital, which is going to be such an important part of our city's future.

It was surprising to see that not long after the government had released its budget and the details were in the public domain, it was immediately opposed by members of the Liberal and Nationals parties in this place. Who would have thought they would be out there opposing Bendigo's new hospital? But there they were, doing just that. Not only were they not indicating support for the budget initiative, but they were also giving a very strong indication to the people of Bendigo and the people of central and northern Victoria that they will not commit to this new hospital for Bendigo should they win government in 2010. This is a significant point.

The people of Bendigo are used to having to fight coalition members of Parliament. They are used to having to fight the Liberal and National parties to get major projects up in the region. We need only think of the fight we had to complete the Calder Freeway duplication to Bendigo. We had a decade-long fight to get funding from the federal Liberal-Nationals coalition government at the time to duplicate that road to Bendigo. And what a day it was just six weeks ago, when the Premier officially opened the final stage of

the Calder Highway duplication to Bendigo. That is so critical. It will provide for an easier and improved journey, and more efficient trips to Bendigo; having a much safer road will also save many lives.

We are also used to fighting conservative politicians when it comes to our rail services. It was interesting to hear the member for Sandringham in his contribution tonight again opposing the regional rail upgrade that this government introduced. It is astonishing that the conservative politicians opposite would continue to oppose the biggest and most significant investment in rail that has ever been made. It has also been a transformational project for our regions.

We are seeing remarkably strong population growth in our regional centres. That has really occurred off the back of these significant infrastructure projects that we have invested in over the past 10 years. That is one of the things I am very proud of. This investment will be built on in this year's budget, with this government committing to the regional rail link project.

For those members who may not be aware of it, this is very important for our regional centres — Geelong, Bendigo and Ballarat — but also for those cities and communities beyond Geelong, Bendigo and Ballarat who use those rail corridors to come into Melbourne. This is a \$4 billion rail infrastructure project.

Mr Eren — How much?

Ms ALLAN — It is a \$4 billion rail infrastructure project that will give regional Victorians from those parts of regional Victoria their own dedicated rail line into Melbourne. This is a fantastic project. The Brumby government put its marker down late last year when it released the Victorian transport plan, and it was a terrific moment when the federal Rudd Labor government also committed funding for this vital infrastructure project. That is a massive commitment in rail, and a massive boost for jobs and for rail services for our region.

But who is opposing the regional rail link? The Nationals! The Nationals have now come out in opposition to the regional rail link project, saying the money would be better spent elsewhere. It is such an astounding situation to be in, after years upon years of The Nationals and the Liberal Party opposing rail and road upgrades to regional Victoria. You would have thought they might have learnt something by now: that it does not make good policy or political sense to oppose these vital infrastructure projects to regional Victoria.

But there they were, at it again, with the federal Leader of The Nationals saying the funds would be better spent somewhere other than on a regional rail link. It will be a great moment when that project is completed, which will deliver such a boost for our rail services in regional Victoria.

I was talking earlier about the proposed new Bendigo hospital and how it will be such a significant project. The people of Bendigo and of central Victoria need to know where both parties stand on this project. The Brumby government is absolutely committed to the development of the new Bendigo hospital, and that is why we have put up \$55 million in funding to kick-start works on it. What have we seen from the Liberal Party and The Nationals? Nothing but opposition and duck-shoving when it comes to making a commitment to Bendigo's new hospital.

A member for Northern Victoria Region in another place, Damian Drum, cannot even bring himself to say the words, that his party supports the Bendigo hospital, and has used weasel words when writing in the *Bendigo Advertiser*, saying, 'We do not know what will be left in the state's cookie jar'. This is in the event that the coalition parties should win office at the next election. He is already laying the groundwork for a future Liberal-Nationals government to scuttle the project to build Bendigo's new hospital. Damian Drum is doing the dirty work for a future Liberal-Nationals government to turn its back on Bendigo and to scuttle plans for a new hospital in our region.

We know why Mr Drum is doing this: because he is being encouraged by the shadow Minister for Health to do this work. He is doing the dirty work of the Liberal Party. It is no surprise really, it is a position The Nationals are well used to. After many decades of being in coalition, they are well used to doing the dirty work of their Liberal masters.

In an interview on ABC Central Goldfields radio not long after the presentation of the budget, when she was directly asked the question, 'Will you commit funds, should you win office, to a new hospital for Bendigo?', the shadow Minister for Health said:

We have not, ah — it, it is not, ah, a project that we have, ah, given a commitment to at an election, but we have certainly given strong support to the local community in keeping, ah, this government honest.

How about being honest with the people of Bendigo and answering the question, 'Are you going to commit funds for a new hospital for Bendigo in the future'? The shadow Minister for Health and a member for Northern Victoria Region are laying the ground to turn their

backs on Bendigo's new hospital, to scuttle the biggest infrastructure project our region has ever seen. They are prepared to scuttle this vital project. I think the people of Bendigo know full well where the commitments of the Liberal-Nationals coalition lie.

At the last election we took to the people of Bendigo a commitment to build four new junior secondary colleges. Not 1 cent was committed by those opposite to this important project, preferring instead to commit to other school projects in the eastern suburbs of Melbourne. That is their call and their choice. Their choice was not Bendigo. Labor's choice is Bendigo, the Brumby government's choice is Bendigo, and that is why we have committed funds to the new hospital.

In this budget we have also provided another \$3 million to the Bendigo education plan. This brings a total of \$64 million to date that we have committed to the plan. We will keep on allocating funding to this project until we get the job done, because at the end of this we are going to see four brand new junior secondary schools in Bendigo. That is going to be great for those students and great for the future of Bendigo, but was once again opposed by those opposite, who chose instead to fund schools in other parts of Victoria.

We have seen how the Liberal-Nationals coalition has opposed the Calder upgrade, opposed rail upgrades and opposed our schools upgrades; now they are opposing the Bendigo hospital upgrade. They do not have a plan for Bendigo. Only Labor has a plan for Bendigo, and we are absolutely committed to these projects.

Mr SEITZ (Keilor) — I rise to support the Appropriation (2009/2010) Bill 2009, and I congratulate the Treasurer in particular. When he brought down the budget, all the media said, 'John the builder' — and he certainly has been building Victoria. With the economic crisis that the world is facing, including Australia, Victoria has been managed very soundly and confidently by the successive treasurers of this Labor government. That is a very important part of our success.

If one has a quick look at the increase in funding that has been able to be put in place in the departments of education and early childhood development, human services, innovation, industry and regional development, premier and cabinet, and transport there has been an increase in funding from last year's budget. And the list goes on. So each one of those departments had an increase, not a reduction, in their budgets in these tough economic times, which is very commendable. The state is being managed soundly by the Treasurer.

Since the Victorian Labor government has been in power it has increased jobs growth by 450 000 people, a 20 per cent increase since October 1999. Growth in jobs is continually going up in Victoria. People are coming to live in Victoria because of our sound management, the positive economics of this state, the way our budgets are operating and our taxes, which have reduced steadily since Labor has been in government. Confidence is a very important factor for people who come here, live here and do business in this state. With more people, there is more need for infrastructure. The house just heard the previous member speaking on the budget raise this matter about infrastructure and building regional development, which is very important.

As for my electorate, I want to comment on a matter raised by the member for Warrandyte, who misrepresented me in his speech, when he said I did not attend the rally about safety and extra police in Sunshine. I did attend that rally; I was amongst the community. At the end people asked me to speak. I addressed the community and stayed to talk and listen to them. So I was there, just as I was at the rally with the Indian students two weeks back. I also addressed that gathering here in front of Parliament House. I have been having discussions with the students and taking up their concerns, as I have been doing for the last two years.

This government has been putting money in for quite some time to provide safety, education and other developments for the community with posters, extra telephone numbers and extra police in hot spots where they are needed. We all know that police command decides where the police actually go and where they need to be located. We have also increased the funding for the police force.

When it comes to roads and infrastructure in my area, tomorrow night we will have a gathering of the local community to talk about the Calder Highway. This time the meeting will be in the electorate of Keilor, not in Bendigo, as Keilor finally received funding from the federal government. The state government's money has been there for the last four years, but there had been no contribution from the Howard government to meet their commitment for the diamond interchange to take place at Kings Road, to make that section a lot safer and better for our community. As I said, tomorrow night at 7.00 p.m. at the Delahey community centre, people will be meeting and discussing that issue, which is a welcome and necessary project and which will be developed over the next four years.

The construction work on the Calder Highway will create more jobs in our community for people who are now facing economic strain. While we see less work in some areas, the government is naturally coming to the forefront in building projects in particular.

Turning to schools in my electorate, new primary schools are being built in Taylors Hill and Caroline Springs. The library facilities and assembly halls at Gilson College and Emmaeus Catholic Primary School are to be extended. The progress goes on. I have been a member of this Parliament for over a quarter of a century, and I have never seen so much work going on in the schools. I do not have parents complaining that their children do not have classrooms. Planning for the community has been at the forefront, and we have anticipated the area's needs, so growth is taking place.

The state government's contribution to local government has allowed duplication of Taylors Road and Hume Drive to eliminate bottlenecks and improve the flow of traffic for the community.

Let us look at a big project. It took a Labor government coming to power to extend the electrification of the Sydenham rail line from St Albans to Sydenham, which is now known as Watergardens station. A lot of people have forgotten that. We are now extending the Sydenham line right up to Sunbury. It is a big job that needs a lot of work and a lot of money. It will service my electorate and the adjoining electorate. What is more, it will create access to Watergardens shopping centre, which is a town centre and a huge shopping complex, for people from Sunbury to come down on the train and do their daily, weekly or monthly shopping because all the facilities are in that area. That shopping complex is the biggest employer in my electorate.

We know that retailers have confidence in the area and in this government when, in spite of the recession people talk about, we see that Myer is building a big complex there as well. That is welcome news. It will create further jobs and opportunities for expansion of the shopping centre and the allied services that are needed.

This is a positive budget. This government has provided an extension to the bus services in the Keilor electorate. There has been a large investment in social housing in the region, which is welcomed by the people in my electorate. Also funded from this budget is the outer ring-road planning process to set up an easement for an outer ring-road to be built in the future. This is important as we will not wait until houses are built and then have to bulldoze homes to be able to put a road

through. Whichever way the ring-road is planned, yes, it will affect some properties, but we are planning it well ahead of time before the land is allowed to be subdivided for housing. Money has been invested in forward planning and development. It is a fantastic project which I have been lobbying to have occur for about 15 years.

As we know, the Western Ring Road will be extended with an extra carriageway on both sides to cater for the immediate needs of the community travelling in the west. The shires of Melton and Wyndham are among the fastest growing regions in Victoria. A lot of people get confused, but Melton forms the greatest part of my electorate. Everyone assumes the electorate of Keilor is made up of Keilor Village and the Keilor township, but the shire of Melton covers the largest part of my electorate and is where growth is taking place. We are assisting Melton Shire Council with funding towards infrastructure and development through partnerships with the Department of Education and Early Childhood Development, the Department of Human Services and also sometimes with the private sector through tri-party funding to develop and meet the community's needs, be it for child-care centres, kindergartens, leisure centres, basketball stadiums or sporting facilities. Melton, in the growth area of my electorate, has been assisted with all those community services, which is welcomed by me and the people of the Keilor electorate.

This is a positive budget, and we will no doubt see more positive budgets from the Labor government as we get through the current world economic crisis that we are facing. But we have been consistently told that we are better placed than any other state to come through the crisis that was out of the hands of Victoria and Australia. Victoria is doing very well in spite of it. It still has its AAA rating and can borrow money overseas from many sources at a reasonable interest rate, which is important. It shows that the world economic financiers are looking at us in a positive way and that our finances have been managed well. This budget allows us to continue to develop the infrastructure that is so needed in my area and to provide services such as education to not only our young community but to the elderly in my electorate.

The old part of Keilor now houses an elderly community that needs services. Only last week the minister opened a facility in Deer Park known as a PARC facility, or a prevention and recovery care facility, which is for young people who have mental illnesses and need some respect, care and attention. That is a welcome development in the area. The regional development project at the Furlong Road hospital, otherwise known as Sunshine Hospital, part of

the Western Health Care Network, which is funded in this budget and has been announced by the minister, continues to improve facilities and services for the whole of the outer western region in cooperation with Melbourne University, Victoria University and the Peter MacCallum Cancer Centre. The services provided by this A-grade medical facility were never delivered by previous governments as far back as the Bolte government. They were denied to the people of the western suburbs. Gough Whitlam's government provided the funds to the state of Victoria to build a state-of-the-art medical facility that the people of the western suburbs were lacking, but that was steadfastly denied by those opposite.

There seems to be the continuous trend, as we heard from the previous speaker, of the opposition being constantly opposed to servicing a community with A grade medical facilities, which are so badly needed in our community. We have increased that — and we continue to increase it in this budget.

I again congratulate the Treasurer and the Premier on presenting and overseeing the budget. Hopefully I will see more of these successful budgets for my constituents of the Keilor electorate.

Mr EREN (Lara) — I, too, am very pleased to be speaking in support of the Appropriation (2009/2010) Bill 2009. I would like to firstly congratulate the Premier, the Treasurer and all ministers on yet another fantastic budget for all Victorians.

For the 10th year in a row the Brumby Labor government has delivered a budget that all Victorians will benefit from and which shows the level of commitment that this government has for the wider Victorian community.

This budget has been delivered at a very difficult time. As people know, the current global financial crisis has the potential to have major impacts on Victoria, the safety of Victorian jobs are at risk, and to add to that, the devastating effects of the worst bushfires in our history means that we have a huge job ahead of us to recover and to rebuild towns and communities that were affected on that shocking Saturday.

Having said that, I think the Victorian communities are a tough and resilient lot and will recover from this unfortunate set of circumstances. I think they understand they are in safe hands under the Brumby Labor government, which has a solid track record under such tough circumstances, as we all witnessed with the Black Saturday tragedy and the leadership shown then by the Premier. I am sure that is the type of leader

Victorians want in tough times: a leader who is tough but also understanding of the needs of the wider Victorian community.

In relation to being fiscally and financially responsible — and I dare say this because I know the opposition will be uncomfortable about it — AAA is here to stay. Even though there is a global financial crisis, the genius team that is the Premier and the Treasurer has managed to keep us in the black, to the discomfort of the Liberal-Nationals coalition.

Initiatives such as the Victorian transport plan, the Victorian schools plan and the joint federal and state Nation Building — Economic Stimulus Plan are all initiatives that show the government's leadership and commitment during these tough times for the future of all Victorians.

In fact, this budget is about jobs. It is estimated that approximately 35 000 jobs will be created as a result of this investment. It is great to see the positive cooperation between the two tiers of government to achieve great things for the Victorian people.

I am certainly very proud and grateful to be a part of this government, a government that stands up for all Victorians and provides the essential infrastructure we need to support the current challenges we face today but to also look towards the future.

This is my third budget as the member for Lara, and I am grateful for the ongoing support by the Brumby government for not only my electorate but the wider Geelong area.

I would like, firstly, to briefly mention announcements for the wider Geelong area which build on record investments we have made in that area since the Labor government came to power in 1999, and then deal with my electorate of Lara.

I will start with health services in Geelong, which are, yet again, set to get a major boost with \$30 million for the Geelong Hospital. This funding will go towards an extra 24-bed surgical ward, as well as eight extra mental health beds in the Swanston Centre in Geelong. This funding will allow for a fit-out of a second new theatre and associated upgrades and reinforce clinical services areas. As a result of this investment this project will also secure up to 42 jobs in construction.

Geelong will also share in a \$2.1 million boost to dental services. This will provide extra dental treatments to Geelong pensioners. We will also share in the \$10 million rollout of the digital mammography equipment in BreastScreen Victoria services.

Roads and public transport are also set to benefit, with \$23 million to improve bus services in Geelong, including a new bus interchange in central Geelong, improved cross-town connections and better links to Deakin University and V/Line train services.

I must also make mention, as previous speakers have, of the massive investment of \$4 billion in rail infrastructure. In my electorate we will see a brand-new train station being built in the fastest growing area in the nation, Wyndham Vale. It will have a dedicated line with dedicated platforms at that other great piece of rail infrastructure, Southern Cross station. That will obviously go a long way to accommodating the huge growth not only in regional areas because of this government but also in the number of people wanting to use public transport because we have made it more accessible and much more affordable. Geelong will also receive its share, with \$13.2 million to increase and improve cycling infrastructure.

There is also a huge boost for emergency services in Geelong. The Leopold, Portarlington, Anglesea and Winchelsea Country Fire Authority brigades will benefit from \$21.1 million to replace CFA appliances, while the Bellarine VICSES (Victorian State Emergency Service) will benefit from \$10.3 million to replace heavy rescue vehicles, rescue boats and road crash rescue kits.

As part of the Brumby government's commitment to education millions of dollars have been spent on schools in and around Geelong. This budget will see \$2.2 million go towards helping secure the future of Teesdale Primary School and \$4 million for the development of a specialist centre at the Belmont High School site. There is also \$2 million to redevelop the St Leonards Primary School to help secure its future. This is on top of the Brumby Labor government's state budget boost of \$402 million which will deliver new school buildings to stimulate the economy now and deliver on the government's plan to rebuild, renovate or extend every government school in the state in the future.

In my own electorate of Lara I was very thrilled to be with the Minister for Education to announce the \$10 million Brumby government boost to the Manor Lakes P-12 Specialist College, which will see the school grow with the Wyndham Vale community and expand into stage 3 of its building program. This funding will deliver facilities including classrooms and science spaces and is on top of stages 1 and 2 funding of \$14.2 million allocated to help the school cater for the needs of Australia's fastest growing community in Wyndham Vale. The state government is also working

with the federal government, as part of the Building the Education Revolution program to deliver a 21st century library and learning neighbourhood to Iramoo Primary School in my electorate. This commitment just goes to show that education remains the no. 1 priority of the Brumby and Rudd Labor governments.

Further on that, I thank the federal government for enhancing the investments that we have made by further investing in education in my electorate of Lara. Anakie Primary School is a lovely rural school which will see the construction of new classrooms at a cost of \$1.27 million. Lara Lake Primary School in Lara will see the construction of a new multipurpose hall at a cost of \$3 million. Lara Primary School will see the construction of a new library at a cost of \$3 million. St Francis Xavier Catholic Primary School in Corio will see the refurbishment of classrooms and associated works at a cost of \$400 000 and the construction of classrooms and associated works at a cost of \$1.6 million.

Geelong Grammar School in Corio will get a primary school library at a cost of \$850 000. St Anthony's Primary School in Lara will see the construction of classrooms and associated works at a cost of \$700 000 and the construction of a multipurpose hall and associated works at a cost of \$1.3 million. St Thomas Aquinas Primary School in Norlane will see the construction of a multipurpose hall and associated works at a cost of \$850 000. Covenant College in Bell Post Hill, which is the suburb where I live, will get a new library at a cost of nearly \$1 million and arts facilities at a cost of \$1 million. Rollins Primary School in Geelong North will see the construction of a new multipurpose hall at a cost of \$2 million. Thomas Chirside Primary School in Werribee will see the construction of a new library at a cost of \$3 million. I could go on and on.

Another major announcement for my electorate is \$2.5 million in funding for a brand-new Lara police station. This funding will see a state-of-the-art, modern facility at a new location, as the previous site was too small to redevelop. Police will now be better equipped to service Lara and the surrounding area. It will also allow the facility to accommodate any additional growth in police numbers in the future. This is of course the third emergency services announcement that we have made in the lovely township of Lara. Members may be aware through previous statements that I have made that we have opened the brand-new fire station on Mill Road.

A couple of weeks ago the Minister for Health was in the part of Geelong that is in my electorate and we

opened the brand-new ambulance station right next door to the brand-new fire station. This new police station will certainly complement the area and accommodate the emergency services for that whole region well into the future.

Since coming to government in 1999 the Brumby government has invested nearly \$450 million in rebuilding or refurbishing over 160 police stations and residences under Victoria's largest ever police station building program.

Mr Merlino — Sensational!

Mr EREN — It is absolutely sensational, Minister. The opposition whinges, carps and carries on about the investments we have made. It says, 'Here they go again; they talk about record investments', but it is absolutely true.

Dr Naphthine interjected.

Mr EREN — The member for South-West Coast continues to carp on. Clearly he has been to the bar and has just walked into the chamber. He has not been in the chamber and has obviously had a couple of drinks. I encourage him to settle down.

Dr Naphthine — On a point of order, Acting Speaker, the member for Lara is casting an aspersion, which is absolutely unfounded, and I ask him to withdraw.

The ACTING SPEAKER (Ms Munt) — Order! Does the member for Lara withdraw?

Mr EREN — Has the member not had a drink? I withdraw.

Dr Naphthine — I have not had a drink.

Mr EREN — Sit down! As I was saying, we are very proud of our record since we came into government, and we are proud of the investments we have made — that is, the \$450 million of investments to refurbish over 160 police stations. That is the largest ever police station rebuilding program.

I am certainly very proud of the investment in this budget for Geelong and my electorate of Lara. I am very pleased to say that in the face of the global financial crisis the Victorian Labor government's budget is all about securing Victorian jobs. We are investing responsibly, building new train lines and roads, modernising schools and expanding our health system. These investments will not just improve services, they will also secure jobs. As I said, I am

proud to be a part of a government that has a plan and is committed to doing everything possible to stand up for working Victorian families in tough economic times. I thank the Premier and the Treasurer and indeed all the ministers. They have done a fantastic job in coming up with this budget, and I thank them for their hard work and effort in producing yet another excellent — —

Mr Merlino interjected.

Mr EREN — I have already mentioned all of that, Minister. That is fantastic too. It is all great. Having said all of that, I support the bill before the house.

Mr BAILLIEU (Leader of the Opposition) — Victoria is undoubtedly at a telling point in its history. The good times are over. The 10 years of prosperity are behind us. Each and every Victorian is now facing a major challenge. The first of those challenges is the immediate impact of the global financial crisis. I do not think anyone in the house will walk away from that. That simply means we are facing a loss of jobs, a loss of business confidence, a loss of business revenues, a loss of revenues to the state, a rising need for community services and a growing need for significant restructuring and retraining.

We are not alone in facing this downturn, but Victorians, particularly in our rural communities, are facing the consequences of sustained drought and the prospect of an emission trading scheme which in all likelihood will impact on them heavily.

The challenge we do face in Victoria is now daunting, but the reality is that as a state we have to address this challenge. Sadly we face it with additional complications that are very much in the hands of this government. We face it without the essential infrastructure this state needs. We face it without the essential infrastructure that should have and could have been provided over the last 10 years. After that time, during which the government received more than \$300 million of revenue, we do not have the infrastructure this state needs. I am sure Victorians now understand that this government is prepared finally to admit it has not done enough on infrastructure.

We face this challenge with a rapidly deteriorating budget position — the surplus is gone, debt is rising rapidly and the position is deteriorating. The genuine surplus is gone. We face this challenge with a rapid and continuing decline in the manufacturing sector, which is the sector that has been the mainstay of this state for decades. We face this challenge with another major problem for all Victorians — that is, the comprehensive breakdown in basic services.

We face this challenge as a state recognising that, to make matters worse, Victorians now understand they can no longer believe what their government tells them. They do not have a government they can trust. Frankly, the state has run out of police, run out of trains, run out of hospital beds, run out of jobs, run out of money and run out of trust. This government has seen the end of the good times.

The cupboard is effectively bare, and on top of that we have an infrastructure black hole in the budget. This government has had 10 years and more revenue than it knew what to do with, but it did not know how to spend it and it has failed to deliver on basic services. The government has had the time and the money to invest in infrastructure, but it did not do it, and now when there is no time and there is no money, it is rushing to catch up.

Mr Stensholt interjected.

Mr BAILLIEU — The member for Burwood is up there on his perch like a little hairy budgerigar —

Mr Stensholt interjected.

The ACTING SPEAKER (Ms Munt) — Order! The member for Burwood!

Mr BAILLIEU — When this budget was prepared I am sure the Treasurer went into the Premier's office and said to the Premier, 'I have good news and I have bad news'. The Premier would have said, 'Give me the good news, give me the good news', and the good news would have been that Kevin had bailed him out. 'What about the bad news?', the Treasurer would have asked. 'No bad news, no bad news!' the Premier would have replied — and he rushed down to the ABC and he rushed down to 3AW and said, 'There is no bad news in this budget, no bad news!'. To this Premier, announcing that 200 000 Victorians are jobless is good news. 'Victoria is the envy of the world', he said. There are 200 000 jobless in Victoria and 70 000 more will be unemployed in a year, and that is not bad news? He said, 'There is no bad news'. What an out-of-touch comment that was.

There is a headline surplus in the budget of \$165 million. How did we get that? More than \$2.5 billion was supplied by Kevin Rudd at the last minute to bail out the Victorian government. It is a phoney surplus. We have a new tax in the growth areas infrastructure contribution, the GAIC; we have all those fees and charges going up; we have delayed infrastructure projects — I will come back to that issue in a moment — and promised infrastructure projects totally unfunded; and we have massive debt with no

repayment plan and the state's AAA credit rating at risk. That is all, 'no bad news' according to the Premier. He should have waited to hear the Treasurer out on this, because this budget is a con job. Not only that, it is also a house of cards.

This is a budget based on a series of assumptions that do not stand the test. All you have to do is look at the growth and unemployment assumptions to see that. The growth assumptions are in excess of the federal government's growth assumptions and the unemployment figures are less than the federal government's unemployment figures — and that has not been the case in this state for years.

Then look at the revenue assumptions. On page 41 of budget paper 2 it is stated that taxation revenue is expected to grow on average by 4 per cent a year over the forward estimates period, reflecting certain factors. The interesting thing to look at here is the payroll tax revenue. It is projected to grow by 5 per cent per year on average, when in fact the growth figures in the Treasurer's own budget suggest that there will not be growth like that, and indeed that unemployment will rise at the very time the government is projecting payroll tax increases.

What can that possibly mean? That can only mean an increase in payroll tax. Stamp duty revenue is projected to increase by 5.5 per cent per year. Indeed growth in land tax revenue, at nearly 1 per cent per year, is in excess of the growth figures and certainly in excess of what is being reported in the budget. Of course revenue from gaming tax is projected to increase by 2.3 per cent, and we now know how that is going to happen. There has been a startling deal with Crown Casino of 150 extra tables and a good slab of money to boot, and that is in the budget.

We also have revenue increases from the growth areas. What did the Premier have to say about the growth area infrastructure charge on radio a week or two ago? He said, 'Oh, my! We didn't know we'd sent out the letters saying we were going to charge Victorians in growth areas'. Even though the government had made the decision in December, even though that decision was announced, even though the letters were sent out and the money was in the budget, the Premier said he did not know.

The budget is a house of cards in that respect, and it is fascinating to contemplate how the Premier has justified the debt in this budget. When this Premier was first Treasurer he celebrated and claimed that the shrinking debt levels and huge surpluses he had inherited were his badge of honour. At every budget we

saw him trumpeting lowered debt levels and huge surpluses. As I said, the effective surplus is gone and now debt under his watch is back to Cain and Kirner government levels. Suddenly it does not matter; the Premier says it is not an issue. He even suggested a comparison with Henry Bolte nearly 60 years ago. I think most Victorians who have any knowledge of history would have gagged when they heard him say that. You wonder how he could dare say that.

I ask the house to think about this: it was this Premier who thought Rob Jolly, that disastrous Treasurer from a disastrous Labor government, was a genius and a political hero. I know the member for Brighton has drawn attention to this previously, but in a speech to federal Parliament in the 1980s the Premier, then a House of Representatives backbencher, had this to say of Rob Jolly:

The Victorian Treasurer is the most adventurous and at the same time responsible Treasurer of any state.

But there is more: what about the steak knives? What did Rob Jolly have to say about debt levels — that is the interesting thing. At the height of the mounting debt crisis at that time, what did Rob Jolly, the Victorian Treasurer whose administration left Victoria almost bankrupt in 1992, say in a press release when he was trying to pretend things were okay? He said:

State debt is the lowest it has been since comparable records have been kept.

He went on to say:

Certainly lower than at any time during Sir Henry Bolte's premiership and reducing further.

There you have it. The Premier is still channelling Rob Jolly, searching for excuses in an old Labor Party media release. When it comes to economic credibility, the Premier invites comparisons, but they are not comparisons with Henry Bolte. The Premier knows that he has lost control and he has lost his own self-appointed badge of honour.

I want to briefly mention infrastructure. There are repeated claims from this government about infrastructure spending and the \$38 billion that we keep hearing about. A closer analysis of the \$38 billion spend reveals that over \$30 billion is unfunded in the budget period for the next four years — that is, only \$30 billion of the \$38 billion is unfunded. That is not a plan, that is a con.

If ever anyone needed a clear indication, I refer to the *Australian Financial Review* of 7 May, the first day after the budget. There it is, the Treasurer clearly

indicating that he has an exit plan to get himself out of this budget black hole. He says, and I quote:

John Lenders said the government would look to dramatically scale back its infrastructure spending.

This is what he said to the *Australian Financial Review*, because he knows the government does not have the funding and it has not funded it in this budget. Further, the Treasurer said:

For us, the exit strategy for this acceleration of infrastructure is over the next three, four or five years ...

The government is going to get out of it before it has to spend the \$30 billion. The \$38 billion is a sham. It does not exist; it is unfunded. The budget is full of bad news. It is based on a house of cards and it does not address the fundamental issues that Victorians are facing.

I want to briefly mention my electorate. Schools in my electorate desperately need funding, and they are not being funded in this budget. Planning problems are again not addressed in Boroondara nor is policing; nor is it addressed in a wider sense.

I use this last moment to reflect on the pain and the hurt that has occurred amongst international students in this state. If we have learnt anything about international students in the last few months and over the last few years, it is that they are suffering because of crimes against them and because this government has underfunded policing, security and basic services in this state. That is where this budget fails.

Debate adjourned on motion of Mr BROOKS (Bundoora).

Debate adjourned until later this day.

Remaining business postponed on motion of Mr MERLINO (Minister for Sport, Recreation and Youth Affairs).

ADJOURNMENT

The ACTING SPEAKER (Mr Nardella) — Order! The question is:

That the house do now adjourn.

Parks Victoria: waste disposal

Mr WALSH (Swan Hill) — I raise a matter for the attention of the Minister for Environment and Climate Change. I raise the issue on behalf of the Murrabit Advancement Association. I want the minister to reimburse the association for the additional costs it has

to pay to empty its bins because of Parks Victoria's carry-in, carry-out rubbish policy.

As part of the operation of the Murrabit Country Market, the advancement association utilised large waste bins to dispose of its rubbish; I emphasise that it is the association's own rubbish. In that particular area along the Murray River, Parks Victoria claims 90 per cent compliance with the carry-in, carry-out policy. Parks Victoria also claims that it has savings of over \$70 000 through the reduction in rubbish collection costs because of the policy. The reason Parks Victoria is able to save all that money is in part because the campers are dumping their rubbish in the Murrabit Advancement Association's bins and the association has to pay the additional costs to have them emptied.

The Murrabit Advancement Association wrote to Parks Victoria about this particular issue, and Parks Victoria wrote back saying it would put up increased signage in the town, directing campers to the litter transfer station at Kerang. The problem is the litter transfer station at Kerang is only open 4 hours a day on weekends, so campers would only have 4 hours a day to do that.

On 28 January the Murrabit Advancement Association sent an invoice to Parks Victoria, care of Minister Jennings, for \$165 for the increasing costs of having its bins emptied because of the additional rubbish put in them by the campers at that time. That invoice has not been paid.

In a subsequent letter to me, written after Easter, the Murrabit Advancement Association states:

It is obvious to the Murrabit Advancement Association that Parks Victoria's carry-in, carry-out policy is creating cost shifting, where after the Easter break the MAA had a 3 cubic metre bin and 27 wheelie bins filled by the camper's rubbish.

Following that, the Murrabit Advancement Association has sent another invoice to the Minister for Environment and Climate Change for an additional \$220. If you add that to the amount of the previous invoice, the environment minister now owes the Murrabit Advancement Association \$385 for the additional costs the association has incurred in emptying its bins because campers are putting their rubbish in them, and only because of Parks Victoria's carry-in, carry-out policy.

The action I seek from the minister is that he pay the Murrabit Advancement Association the amounts of money in those invoices.

Corrections: indigenous artwork

Mrs MADDIGAN (Essendon) — I raise a matter for the attention of the Minister for Corrections. I would like the minister to investigate the possibility of establishing a scheme to assist Aboriginal artists who are incarcerated. Recently the Western Region Indigenous Art Show was held in Essendon, which featured a number of paintings from prisoners at the Port Phillip Prison and the Dame Phyllis Frost Centre. Some of the artworks were very good and would have been purchased by people who attended the art show, but under our current regulations prisoners are not able to sell the artwork, even though they can have art classes in prison.

I would like to see some sort of scheme introduced whereby artwork can be sold. The money could go into a trust fund that could be made available to those prisoners when they are released from prison, perhaps to buy further art materials to enable them to continue with their art careers.

The prisoners from Port Phillip Prison and from the Dame Phyllis Frost Centre have exhibited a couple of times now at this art show, and I believe they exhibit in a number of art shows around Victoria. I am sure people like those responsible for the Western Region Indigenous Arts Show would be happy to organise this scheme on their behalf and to ensure that when these prisoners are released from prison they have some capacity to engage in a career which may enable them to have an ongoing income. It would certainly build self-esteem and some hope in some prisoners if this capacity were available to them. Of course we are not talking about thousands and thousands of people in this category; it is probably a fairly limited number of people who would have the talent to be able to paint and exhibit their artwork at a level that would allow them to sell it.

This would be an excellent program, particularly for some of the women but also for some of the men, some of whom do not have extensive training in other areas of work. It would be of significant benefit to these prisoners on their release.

Students: youth allowance

Mr DELAHUNTY (Lowan) — I rise to raise a matter for the attention of the Minister for Sport, Recreation and Youth Affairs. The action, which I request on behalf of Victorian youth, is that the youth minister, who is sitting at the table, issue a statement registering his opposition to the changes in the federal budget to the youth allowance and the commonwealth

accommodation scholarship. Victorian youth want their youth minister to stand up to his federal Labor colleagues, as these changes will place another barrier in the way of university participation for children of middle-income earners and students from rural and regional Victoria, and it will unfairly discriminate against students currently undertaking a gap year. Labor claims education is its no. 1 priority, but these changes will dash for the future the rights of young Victorians across Victoria, and country students will face more financial hardship.

Currently there are three major student income support programs. The first is the youth allowance, which is for young people aged 16 to 24 who are studying full time; Austudy is for students aged over 25; and Abstudy is for indigenous students. The youth allowance has maximum fortnightly payments which are up to \$233.90 for those living at home and up to \$355.40 for those living away from home, with rent assistance of up to \$110.20. There is also a parental income test to get this allowance, and the threshold has been increased from \$32 800 to \$42 559. However, the independence criteria is the major change. The existing criteria specify that a person must have finished school for 18 months and have earned at least \$19 532 during that time, but the new criteria will mean that a person must have worked at least 30 hours per week for at least 18 months in any two-year period. Other criteria of independence include being married, having a dependent child or having parents who cannot exercise their responsibilities.

The other major change is to the commonwealth accommodation scholarships. Currently these scholarships provide an annual payment of \$4324 per annum for up to four years for an eligible student living away from home. The new benefit being brought in by the federal government to replace the scholarship is a relocation allowance of \$4000 in the first year and \$1000 per year thereafter. Students will now be up to \$10 000 worse off. Numerous letters and emails about this have been coming in to me from right across the state. There is also a study which has highlighted that the deferral rate has increased from 9.9 per cent in 2004 to 15.7 per cent in 2007 for regional students, which compares to 6.4 per cent of city students having deferred in 2007.

Members can see that many young people are being disadvantaged and many families are being disadvantaged. I have received letters from school principals and from families, all concerned about the fact that they and young people are being disadvantaged by this major change. I have also read a newspaper editorial saying university is moving further

out of reach of country students. Again I say to the minister: stand up for our country youth and call for federal Labor to change this policy.

Glenroy: men's shed program

Ms CAMPBELL (Pascoe Vale) — I raise a matter for the attention of the Minister for Senior Victorians. The action I seek is that she favourably consider the application by Glenroy neighbourhood learning centre for a men's shed. Together with Moreland council and particularly Crs Kathleen Matthews-Ward and John Kavanagh, I have been working to have a men's shed in the Glenroy area. The men's sheds constitute a great program, and I am a great proponent of them being introduced in this area. They positively encourage men, particularly retired men, to be involved and to embrace the opportunity to still be active and make a tangible contribution to the community.

Census figures indicate that nearly 25 per cent of Glenroy's population are over 50, and as would be expected just under 50 per cent are male. A great many of these men have worked all their lives in trades and blue-collar jobs. They have a wealth of skills and trade-based knowledge. It would also be fair to say that traditionally many of these men, due to long working hours and family commitments, have had substantially less social engagement in their local community pre-retirement. When their wives and children were meeting others through maternal and community health centres, then kindergartens and primary schools, the men were at work.

It can be a daunting and confronting experience for men once they retire to meet new people locally and to socialise, and we know that social isolation is a key indicator of adverse mental health issues. Men's shed projects, with their hands-on approach, facilitate socialising based around constructive activities. Working together, sharing and learning new skills creates a sense of inclusion, which results in people becoming more aware of the community in which they live.

A men's shed in Glenroy would provide a place to participate for those who perhaps do not frequent places such as the local bowls club or enjoy senior citizen club activities. It would engage them and provide a place of support and the opportunity to mix with like-minded people. The great advantage of men's sheds in areas with a diverse range of cultures and backgrounds is that the men are able to communicate via the work they do at the men's shed and develop community with people whom they perhaps would not meet, for example, if they were in a similar club such as a bowling club or an

ethnospesific club. The men's shed submission from the Glenroy neighbourhood learning centre is excellent.

Maroondah City Council: street lighting

Mr HODGETT (Kilsyth) — I wish to raise a matter for the attention of the Minister for Environment and Climate Change regarding energy-efficient street lighting. The action I seek is for the minister to facilitate funding assistance to the Maroondah City Council to implement the change to energy-efficient street lighting.

By way of background, public lighting is a highly visible form of energy use, and minimising the adverse environmental impacts of public street lighting sends a highly visible message regarding a council's commitment to environmental sustainability. In the case of the city of Maroondah, street lights account for approximately 39 per cent of the council's electricity use and 36 per cent of its greenhouse emissions. The installation of energy-efficient street lighting provides a logical starting place for achieving emissions reductions across the council's operations.

There are now two types of energy-efficient lighting approved for installation in most distribution areas in Victoria — the T5 fluorescent and the compact fluorescent light. These lights use approximately 60 per cent less energy than current lamps.

The issue here is that street lights are provided, maintained and replaced by the electricity distributors. Councils pay an annual charge to the distributors to cover the cost of ongoing maintenance and replacement — the operation, maintenance and return charge, or OMR. The replacement cycle effectively runs over a period of eight years, with lamps replaced every four years and photoelectric cells being replaced every eighth year. The eighth year is referred to as a 'bulk changeover', where all lamps and PE cells are replaced at once.

The bulk changeover for the city of Maroondah is scheduled for 2009–10. This presents an opportunity for the changeover of public lighting from mercury vapour lamps to energy-efficient lighting sources. This cost has been estimated at \$1.5 million. I am informed that there are some 5500 lamps on streets in the city of Maroondah. This changeover has the potential to reduce Maroondah council's greenhouse emissions by over 1500 tonnes of carbon dioxide annually, a reduction of 10 per cent in the council's greenhouse emissions, and save approximately \$100 000 in energy costs annually.

I understand that this is a local government and industry-wide issue and that councils are seeking assistance in ensuring that the costs associated with the changeover are fair and reasonable. They are also looking to the state government to provide funding assistance to councils to implement the change to energy-efficient street lighting.

The action I seek is for the Minister for Environment and Climate Change to provide funding assistance to the Maroondah City Council to implement the change to energy-efficient street lighting.

Williamstown electorate: boating infrastructure

Mr NOONAN (Williamstown) — I wish to raise a matter for the Minister for Roads and Ports. The action I seek from the minister is that he consider favourably applications put forward by the Hobsons Bay City Council for boating infrastructure grants for two projects to improve boat launching facilities in the Williamstown electorate.

The first project seeks to upgrade boat ramp facilities at the Warmies, Newport, whilst the second seeks to expand the pontoon facilities at the Altona safe harbour. These boat launching facilities are two of only three public launching facilities in Melbourne's west, making the city of Hobsons Bay, with its 20-kilometre stretch of coastline, the destination of choice for water enthusiasts in Melbourne's western metropolitan region, be it for fishing or boating. With around 80 000 boats now registered in Melbourne, these facilities are becoming more popular year after year. Their use has approximately doubled in the past decade since their construction.

The popularity of these facilities is emphasised by the number of launches each ramp caters for on an annual basis. In 2008–09 there were a total of 68 000 launches made at the Altona safe harbour, whilst there were approximately 30 800 at the Warmies, Newport. With both of these facilities now operating near capacity there is a growing need for appropriate upgrades and development to be carried out to ensure that they can continue to operate efficiently, effectively and safely.

The applications by the council are very thorough. Funding is sought at the Warmies to provide for an additional dual ramp and two floating pontoons, which will accommodate an additional 20 boats. Meanwhile, reconfiguration and extensions to the pontoons at Altona safe harbour will allow that facility to accommodate 12 extra boats at any one time and facilitate faster launching and retrieval times.

The planned projects for these facilities will also focus on increasing parking space for vehicles and trailers. Importantly they also aim to improve safety through resolving issues relating to lighting, signage and safe access. These projects seek funding from the state government's \$2 million Boating Infrastructure Fund, which was announced late last year. This fund is in addition to the \$5 million offered each year under the boating safety and facilities program. This program, which is now in its ninth year, has already contributed over \$36 million to make boating safer and more accessible for all Victorians. In the last round alone facilities and boating groups within my electorate have benefited from a number of these grants. These include funding to undertake facility assessments, training courses for power boat safety and VHF radio operation and the installation of a webcam at the Royal Yacht Club of Victoria.

The proposed projects are vital in securing the ongoing safe operation of boat launching facilities in Melbourne's west. They will ensure that the growing numbers of boat users will be able to continue to enjoy the great fishing and boating offered in the Hobsons Bay area.

Southface Road, Mount Baw Baw: upgrade

Mr BLACKWOOD (Narracan) — I raise a matter for the Minister for Roads and Ports. The action I seek is for the minister to request VicRoads to investigate and report back the proposed time line for the sealing of Southface Road. This road now provides a direct link from Gippsland to the much-utilised and increasingly more popular area that incorporates Mount Baw Baw as part of Victoria's magnificent alpine region.

Currently Southface Road is maintained by the Department of Sustainability and Environment and the Baw Baw shire. Since the construction of the road was completed in 2007 the traffic movements during the winter months have increased to over 18 000. The road provides a vital link between East, Central and West Gippsland and Mount Baw Baw, which is now attracting thousands of visitors all year round. Mount Baw Baw resort management and staff have done an exceptional job in promoting the mountain as an all-year-round tourist attraction. This has significantly increased visitor numbers to the towns of Walhalla, Erica, Rawson, Moe, Noojee and Neerim South as Southface Road has completed a tourist loop road enabling visitors to circumnavigate the entire area and enjoy all the fantastic opportunities in food, wine and local produce, hospitality and leisure activities on offer.

It is essential that Southface Road is sealed. It will improve the safety for the ever-increasing number of tourists and local businesspeople in the area. More importantly it will enhance the options available all year round for safe access across this heavily timbered part of Gippsland. At a time when most of this area is recovering from three devastating bushfires that occurred in 2003, 2006 and 2009, we need to ensure that every opportunity is taken to encourage visitors to return.

I welcome the government's initiatives undertaken recently to promote the region through advertising and other incentives to regenerate tourism. The best way the government can restore confidence in the region, both externally and locally, would be to set a time frame around the sealing of Southface Road. I call on the minister to direct VicRoads to provide this information in its forward works program as soon as possible.

Forest Hill electorate: skills training

Ms MARSHALL (Forest Hill) — I rise in the house tonight to bring an issue to the attention of the Minister for Skills and Workforce Participation. The issue regards funding and services for those in the electorate of Forest Hill who have been retrenched or are at risk of retrenchment. The action I seek from the minister is to confirm that the services and the necessary funding will be made available to give these people the best possible chance of securing jobs now and in the future.

The global financial crisis is adversely affecting the Australian economy and consequently is impacting on Victorian jobs. Local data from Centrelink confirms that the unemployment rate in Forest Hill is rising sharply. The Ringwood Centrelink office, which services the electorate of Forest Hill, has recorded a 6.4 per cent increase in people receiving Newstart and the youth allowance in just one month from January to February 2009. This equates to more than 100 new people receiving Centrelink payments. Box Hill Centrelink office has also recorded similar figures for the same period with 91 new people receiving payments.

With over 3500 people currently unemployed in the city of Whitehorse, we know it is imperative that the state government delivers assistance and training to ensure that those who find themselves out of work can gain the skills they need to access jobs. Box Hill and Swinburne TAFE campuses provide training and education to the people of Forest Hill; in order to ensure a skilled workforce in the area, the facilities also require support. Every person who wishes to should be able to engage in further training and attain higher educational

qualifications, thereby making certain their participation in the workforce is not at risk.

In these difficult economic times families bear a much larger burden, and that burden is exacerbated when a parent finds themselves retrenched. I understand the government has committed to creating an additional 172 000 training places over the next four years, it has launched the \$316 million skills strategy, Securing Jobs for Your Future, and as recently as last month's budget announcement, it delivered a \$120.9 million skills and employment package.

This package contains measures to boost the skills of all Victorians with a \$13.8 million Skills to Transition program which provides additional training support for more than 6400 retrenched or at-risk workers. Further to this, more than \$10 million has been allocated by the state government for new workforce partnerships which will assist an additional 1150 disadvantaged jobseekers into work over the next two years.

I ask the minister to act to ensure that all Victorians, particularly those who have been retrenched or are at risk, are able to receive support and gain ready access to high-quality of training

Police: working-with-children checks

Mrs POWELL (Shepparton) — I would like to raise a matter for the Attorney-General. The matter regards problems with proof-of-identity compliance for some volunteers applying for a working-with-children check, the cost of which may deter them from being volunteers. The action I seek is for the Attorney-General to review this matter and find a solution that is at no cost to the volunteer but which complies with the need for proof of identification.

A hardworking constituent of mine, Mrs Lorraine Stein, raised this issue with my office. She wrote to me on 19 May with further information. Mrs Stein has been doing volunteer work and assisting children at a local primary school for quite a number of years. She is now required to undertake a working-with-children check. She does not have a problem with that; she is quite happy to do so. However, Mrs Stein is unable to provide identification in category A or category B to give her a minimum of 40 points as required in the application. Mrs Stein does not have photo identification such as a drivers licence or passport, and many other older volunteers would be in the same situation.

The Department of Justice told Mrs Stein if she does not have a photo ID, which is a drivers licence or

passport, she must provide and pay for a copy of her full birth certificate to prove her identity. This costs about \$30. My office telephoned the Department of Justice working-with-children unit to see what options were available for people who want to volunteer but who do not have a passport or drivers licence or a copy of their full birth certificate.

My electorate officer was told, 'Volunteers who do not have the necessary photo ID will be required to supply a copy of their full birth certificate, not an extract. There is no flexibility'. This seems unfair. The Department of Justice website states that as volunteers do not work for profit or gain, there is no fee for a volunteer working-with-children application. Obviously this is not a true. There is a cost to some volunteers.

Therefore I ask the Attorney-General to review other options that do not impose costs on volunteers, such as waiving the fee for a full birth certificate when needed for a working-with-children check; cross referencing identification confirmation between the working-with-children unit and the births, deaths and marriages registry, considering that both of those units are under the control of the Department of Justice; allowing a statutory declaration to be submitted; or accepting a Keypass card. Mrs Stein has a Keypass card which she uses when travelling by plane or dealing with her bank or other financial institutions when 100 points are needed.

I urge the government to use common sense so that volunteers can contribute to the community at no cost to them.

Child care: city of Darebin

Ms RICHARDSON (Northcote) — The matter I raise is for the Minister for Children and Early Childhood Development. It concerns the need for additional children's services in Darebin, in particular the need for additional child-care and kindergarten places in my electorate of Northcote.

Clifton Street Children's Centre in Northcote is seeking additional funding to expand its services in order to meet the growing demand for services from families living in Northcote. I call on the minister to act to ensure that the centre is supported in its application for additional funding under the children's capital program.

The need for additional child-care places in the city of Darebin is acute. Darebin has the longest waiting list for child-care places in Victoria, with over 1000 children up to three years of age waiting for a placement. On top of this the birth rates in Darebin are

actually increasing. In fact if you are walking down High Street, Northcote, these days you are more likely to be run over by a pram than by a tram, and the population boom is expected to continue. Projections show that the demand for child-care and kindergarten places will therefore continue to rise over the coming years.

The situation for four-year-old kindergarten is also critical. Although the waiting lists are shorter, they are artificially reduced by many parents electing to send their child to kindergarten when their child is five rather than four. Even when places are found for children it is frequently necessary for them to travel several kilometres to a kindergarten. With the increasing birth rate the city of Darebin will continue to struggle unless extra facilities are built.

The proposal for the Clifton Street Children's Centre will expand the current centre and help address these issues, but it will also do much more than that. If successful in its funding bid, the centre will provide a place for integrated children and family services for the community — a family and children's hub. The service model includes maternal and child health, long day care, kindergarten, early childhood intervention services, family support, holiday programs, community and supported playgroups and a training facility to support early childhood professional development in association with the University of Melbourne.

This exciting proposal is entirely in keeping with Labor's plan to fund centres that provide a range of comprehensive services at the one site for the convenience of families. Providing integrated services in this way is also the best means to boost those critical early education years and streamline the transition into school. In other words a one-stop-shop is good for parents but even better for the educational and health outcomes of our children. I therefore call on the minister to take immediate action to support the bid by Clifton Street Children's Centre's to provide additional services for families in my electorate.

Responses

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — The member for Lowan raised the matter of the federal changes to the youth allowance, and I thank him for raising it with me tonight. I am aware of the concerns that have been raised in regard to the youth allowance scheme eligibility requirements and the changes to that scheme, as well as the impact of those changes on regional young people's access to support. Last week I attended a meeting of the Regional Youth Affairs Network (RYAN) with representatives

from across the state. It was an issue that all of them wanted to raise with me, and we had a good discussion.

The Brumby government and I recognise that young people in regional Victoria face barriers to participation in tertiary education. I said at the RYAN meeting that in organising youth round tables at every community cabinet, the government discusses the issue of barriers, whether they be youth allowance or transport, and obviously there is a range of challenges for young people in regional Victoria. When I conduct the round tables they are always high on the agenda for young people. That is why the Brumby government has demonstrated a commitment to focusing on rural and regional Victoria and to supporting young people in rural and regional Victoria through a range of initiatives.

Mr Delahunty interjected.

Mr MERLINO — Indeed. These initiatives include creating a more responsive skills and training system through our landmark \$316 million skills reform agenda, Securing Jobs for Your Future; investing \$399 million in capital upgrades at all of Victoria's 99 TAFE campuses; establishing technical education centres across the state, including Ballarat and Wangaratta; investing over \$43 million from the Regional Infrastructure Development Fund for regional university infrastructure. The Brumby government is committed to ensuring that all Victorians have access to training opportunities regardless of where they live in the state.

With regard to the recent commonwealth changes, as the member for Lowan outlined, the commonwealth government in its recent budget introduced a package of changes to income support arrangements for students. They are planned to take effect from 1 January next year. The reforms are directed at the commonwealth's objective to increase participation by students from low socioeconomic backgrounds, and the Brumby government certainly shares this goal.

There are a number of terrific elements in this package. Over the next three years the age of independence for the youth allowance will be reduced from 25 to 22, meaning that parental income will not inhibit the eligibility of thousands of students to youth allowance. Where parental income is still considered, the income threshold for the maximum entitlement has been lifted from \$32 800 to \$42 559. This will allow additional students to be eligible to receive a full or part youth allowance, and I am advised that this change to the parental income test alone will directly benefit an additional 103 000 young people. Around

68 000 young people will gain access to the youth allowance, and 34 600 will receive a higher rate of payment.

There are other elements to this package. In 2010 all university students receiving student income support will be entitled to the new annual student start-up scholarship valued at \$2254. Rural and regional students who have to move away from home to attend university may also be eligible for a relocation scholarship of \$4000 in the first year and \$1000 in subsequent years. This is in addition to rent assistance to assist students.

But to the matter at hand, which is in regard to — —

Mr Delahunty interjected.

Mr MERLINO — The member needs to have a look at the scope of the changes that have been proposed by the federal government, and as the youth affairs minister in this state, I need to outline the support that we provide through our budgets to young people in regional and rural Victoria to ensure that they have access to training and further education.

Mr Kotsiras interjected.

Mr MERLINO — I welcome the elements of the commonwealth package that I have outlined. I recognise that there is significant concern in the community about some elements of the proposed eligibility criteria for establishing independence.

Under current arrangements, it is possible to establish independence by earning \$18 000 over 18 months. The commonwealth changes propose that financial independence for a student's parents can be established only if the student works 30 hours a week for 18 months. This is a much more stringent test and, as I said, I am mindful of the concerns that many in our community, particularly regional Victorians, have about this change and its potential impact on the capacity of some regional Victorians to participate in tertiary education.

As all members of the house will recall, a question was asked of the Minister for Skills and Workforce Participation last week during Parliament, and during her answer at question time the minister made it absolutely clear that the Brumby government will be addressing this issue — actually there is a meeting this week. The minister clearly outlined to this house that she will be raising this matter with the Deputy Prime Minister and will be pursuing that matter on behalf of Victorians, and that is as it should be.

We are proud of the fact that the Brumby government works in partnership with the federal government and, as I said, we are well aware of the concerns that are raised from Victorians in regional and rural Victoria, and we will be pursuing this matter with the federal government this week.

Nine other members raised matters for ministers, and I will ensure that the relevant ministers take action on those items.

The ACTING SPEAKER (Mr Nardella) — Order! The house is now adjourned.

House adjourned 11.46 p.m.

