

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Wednesday, 16 September 2009

(Extract from book 12)

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

By authority of the Victorian Government Printer

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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

Joint committees

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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.

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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.

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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

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FIFTY-SIXTH PARLIAMENT — FIRST SESSION

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Deputy Speaker: Ms A. P. BARKER

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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

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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
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Crisp, Mr Peter Laurence	Mildura	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
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Ingram, Mr Craig	Gippsland East	Ind	Victoria, Mrs Heidi	Bayswater	LP
Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Wakeling, Mr Nicholas	Ferntree Gully	LP
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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

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Wednesday, 16 September 2009

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

**STATUTE LAW AMENDMENT
(EVIDENCE CONSEQUENTIAL
PROVISIONS) BILL**

Introduction and first reading

Mr HULLS (Attorney-General) introduced a bill for an act to revise the statute law of Victoria as a consequence of the enactment of the Evidence Act 2008 and to make other amendments to that act and for other purposes.

Read first time.

**CRIMINAL PROCEDURE AMENDMENT
(CONSEQUENTIAL AND TRANSITIONAL
PROVISIONS) BILL**

Introduction and first reading

Mr HULLS (Attorney-General) introduced a bill for an act to make consequential and other amendments in relation to the Criminal Procedure Act 2009 and to provide transitional arrangements for the commencement of that act and for other purposes.

Read first time.

NOTICES OF MOTION

Notices of motion given.

Dr SYKES having given notice of motion:

The SPEAKER — Order! There is a problem with the length of that notice, but the clerks will talk to the member for Benalla before any decision is made on it.

Further notice of motion given.

PETITIONS

Following petitions presented to house:

Bass electorate: health services

To the Legislative Assembly of Victoria:

With the withdrawal of local doctors to operate the accident and emergency service for the Bass Coast, the demise of the Warley Hospital on Phillip Island, the rapid increase in

growth and ageing population, the increasing tourist population and the proposed desalination project have put and will increase further pressure on the local hospital and ancillary services of this community. To provide specialist services within this community instead of travelling to Melbourne or Traralgon. This has also put extreme pressure on the Rural Ambulance Service to cover the lack of hospital services in this area.

We, the undersigned concerned citizens of Victoria, ask the Victorian Parliament and the Minister for Health to support our petition for funding the upgrade of the health services in the Bass Coast region.

By Mr K. SMITH (Bass) (19 signatures).

Mental health: Bass Coast housing

To the Legislative Assembly of Victoria:

Bass Coast has an approximate population of 30 000, the region has no affordable one-bedroom units, particularly in the town of Wonthaggi, for single people with a chronic mental illness under the age of 55.

We, the undersigned concerned citizens of Victoria, ask the Victorian Parliament, the Minister for Housing and the Minister for Community Services to support our petition and act immediately to provide long-term housing for single people with a chronic mental illness.

By Mr K. SMITH (Bass) (470 signatures).

Buses: city of Manningham

To the Legislative Assembly of Victoria:

The petition of the residents of Manningham and environs draws to the attention of the house that the removal of the 289 bus service from Box Hill to Donvale via Doncaster Shoppingtown and Tunstall Square has detrimentally affected users of this service, adding to travelling times and greater inconvenience.

The petitioners therefore request that the Legislative Assembly of Victoria direct that the 289 service running before 29 November 2008 be reinstated immediately.

By Ms WOOLDRIDGE (Doncaster) (105 signatures).

Police: Hastings

To the Legislative Assembly of Victoria:

We, the undersigned citizens of Victoria, draw the attention of the house to moves to downgrade the 24-hour Hastings police station to a 16-hour station, closing at night between 11.00 p.m. and 7.00 a.m. daily.

We, the undersigned concerned citizens of Victoria, therefore request the Legislative Assembly of Victoria to request the state government to immediately return the Hastings police station to 24-hour status, in the interest of community safety.

By Mr BURGESS (Hastings) (1377 signatures).

Students: youth allowance

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house the proposal to change the independence test for youth allowance by the federal government.

The petitioners register their opposition to the changes on the basis that the youth allowance changes proposed in the federal budget place another barrier to university participation for students in regional areas; unfairly discriminate against students currently undertaking a 'gap' year; and contradict other efforts to increase university participation by students from rural and regional Australia.

The petitioners therefore request that the Legislative Assembly of Victoria reject the proposal and call on the state government to vigorously lobby the federal government to ensure that a tertiary education is accessible to regional students.

By Mr DELAHUNTY (Lowan) (102 signatures) and Mr CRISP (Mildura) (53 signatures).

Rail: Mildura line

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house for the reinstatement of the Mildura–Melbourne passenger train.

The petitioners register their request that the passenger service be suitable for the long-distance needs of the aged and disabled who need to travel for medical treatment, for whom travelling by coach or car is not a comfort option, and for whom flying is financially and logistically prohibitive.

The petitioners therefore request that the Legislative Assembly of Victoria reinstate the passenger train to service the needs of residents in the state's far north who are disadvantaged by distance.

By Mr CRISP (Mildura) (57 signatures).

Patient transport assistance scheme: rural access

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the inequitable nature of the current level of reimbursement under the Victorian patient transport assistance scheme (VPTAS) and points out to the house that many rural patients are disadvantaged under the current scheme.

The petitioners therefore request that the Legislative Assembly of Victoria:

- a. update and revise the VPTAS regulations from 100 kilometres to 50 kilometres one way to the most appropriate town centre with medical/dental specialist treatment, not just the nearest available town centre;

- b. increase the current 17-cent-per-kilometre reimbursement rate and accommodation reimbursement rate of \$35 plus GST to levels that are more reflective of the current travel and accommodation costs;
- c. allow for the calculation of kilometres travelled to be based on the safest appropriate road route, not just the shortest distance alternative.

By Mr CRISP (Mildura) (39 signatures).

Rail: Shepparton line

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the need to reinstate passenger rail services from Shepparton through Numurkah and Strathmerton to Cobram and return, to service this important area and provide the convenience of passenger rail services directly to and from Melbourne, as has previously been provided.

The petitioners therefore request that the Victorian government takes positive action to reinstate passenger rail services as a matter of urgency.

By Mr JASPER (Murray Valley) (2528 signatures).

Ambulance services: mobile intensive care units

To the Legislative Assembly of Victoria:

We the undersigned bring to the attention of the Minister for Health our dismay and concern at the proposed loss of the MICA service from 9 September 2009 when Victoria's MICA paramedics resign.

The petitioners therefore request that the Minister for Health addresses the MICA paramedics' concerns as a matter of urgency to prevent jeopardising Victorians' lives.

By Mr DIXON (Nepean) (1147 signatures).

Tabled.

Ordered that petitions presented by honourable member for Bass be considered next day on motion of Mr K. SMITH (Bass).

Ordered that petition presented by honourable member for Nepean be considered next day on motion of Mr DIXON (Nepean).

Ordered that petition presented by honourable member for Doncaster be considered next day on motion of Ms WOOLDRIDGE (Doncaster).

Ordered that petition presented by honourable member for Lowan be considered next day on motion of Mr DELAHUNTY (Lowan).

Ordered that petition presented by honourable member for Hastings be considered next day on motion of Mr BURGESS (Hastings).

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

Ordered that petition presented by honourable member for Murray Valley be considered next day on motion of Mr JASPER (Murray Valley).

DOCUMENTS

Tabled by Clerk:

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 88 (*Gazette G37, 10 September 2009*)

Ombudsman, Office of — Report 2008–09 — Ordered to be printed.

MEMBERS STATEMENTS

Yarra Valley Mountain District Football League: grand final

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — I rise to pay tribute to two great football clubs: Olinda Ferny Creek and Kinglake. Congratulations go to the Olinda Ferny Creek Football Netball Club for winning the Yarra Valley Mountain District Football League division 2 grand final on Saturday. In one of the best grand finals the league has seen, Olinda was behind all day before rallying to defeat a brave Kinglake by six points in front of thousands of fans at Woori Yallock. Man of the match Glen Stevens snapped the winning goal with just 30 seconds left on the clock to give the Bloods a deserved premiership after such a dominant season. It was a historic day for the club, with Olinda Ferny Creek also claiming the reserves and under-18 flags. Congratulations to president, Peter Hayne, and secretary, Tim Scott, on an outstanding season.

I would also like to pay particular tribute to Kinglake. As I have mentioned many times, this club is an inspiration to the entire nation, and Saturday's effort was no different. The Lakers have been a shining light for the Kinglake community during its darkest hour. Congratulations to everyone involved in the club, particularly club president, Cameron Caine.

Mount Lilydale Mercy College: Frayne Speech Festival

Mr MERLINO — It was my privilege to recently return to my old school, Mount Lilydale Mercy College, to present medals to the winners of the Frayne public speaking festival. In its 14th year, the festival brought together over 200 students from 11 Mercy colleges across the state who participated in debating, public speaking and speech choir. Congratulations in particular go to Catholic College Bendigo which won the speech choir category; Julia Monarco from the Academy of Mary the Immaculate who won the individual speech section; and Mount Lilydale which won the debating crown, with Luke Martin judged best overall speaker. Thanks to the Mount Lilydale staff who helped make the event a great success, particularly Alison Schlueter, Colleen Anglin, Patricia Olsen, Marlya MacNeill and Janine Biggin.

Bushfires: fuel reduction

Mr MULDER (Polwarth) — On Wednesday, 26 August, the No Fuel No Fire group, in conjunction with the Victorian Lands Alliance, conducted a public meeting in Colac. The purpose of this meeting was to drive change to current fire management practices on public land and to discuss the implications of this management on local communities.

Two of the resolutions passed on the night were specifically directed to the Premier. Firstly:

Given the public concern over low levels of prescribed burning as highlighted in the bushfire royal commission interim report, this meeting calls on the government to adopt the major recommendation of the 2008 parliamentary bushfire inquiry to initiate fuel reduction burning of a minimum of 385 000 hectares per annum.

Secondly:

The communities in and around the Otways region request that the government modify legislation to require the management of fuel loads on road reserves as a priority in providing safe escape routes for rural communities.

The No Fuel No Fire group has been instrumental in raising awareness of fire issues on public land, and on 26 August it clearly demonstrated again that the issue continues to be of great concern to local communities. We are now being told that the coming fire season has the potential to be worse than the last, and I believe the call by attendees at this meeting for tangible fire prevention and mitigation measures to be undertaken without delay is one echoed by communities across the state. This must be done to protect rural lives and

property well before the 2009–10 fire season commences.

Women: political representation

Ms MORAND (Minister for Women's Affairs) — I want to comment on the Liberal Party preselection process for the federal seat of Higgins. I say good luck to Kelly O'Dwyer. I hope she is able to face off the old troglodytes that inhabit the Victorian Liberal Party and is successful in being preselected for a safe metropolitan Liberal seat as the first woman ever to do so. She will be the first woman ever preselected for a safe metropolitan seat. That is unbelievable. I wish her well because the Liberal Party could do with some young women holding safe federal seats. That is the fact.

I really wish Kelly O'Dwyer well. I am not the only one talking. Even Fran Bailey is behind it. I refer members to today's *Age* where Fran Bailey, a former Liberal minister, also comments on the sexism within the Liberal Party and says she hopes Kelly O'Dwyer is successful in preselection. If you compare the Victorian representatives in federal Parliament, you see there are only three Liberal women in the House of Representatives but 29 per cent of Victorian Labor members in the House of Representatives are women. One is the Deputy Prime Minister, who is from Victoria, and there are also two other ministers in the federal arena from Victoria, so let us have a look at our record and theirs and see whose is better.

Rail: Shepparton line

Mr JASPER (Murray Valley) — I applaud the upgrading of the north-eastern Victorian passenger rail services which includes the conversion to a standard gauge rail track and renovated rolling stock. The upgrade has been achieved with joint federal and state government funding of more than \$500 million, which is the result of extensive representations over many years.

Many members, particularly those of long standing in this house, would be aware of my long-held strong support for passenger rail services in country Victoria. However, I am extremely disappointed that the Minister for Public Transport and the department do not currently support the reinstatement of the passenger rail service from Shepparton through Numurkah to Cobram. This service has had a chequered history, having been closed in the early 1980s and opened and reinstated by the Labor government in the mid-1980s only to be closed down again in the mid-1990s — against my strong opposition.

In recent years I have continued with my representations to the current government seeking a passenger rail service to and from Cobram on a once-a-day basis, in conjunction with a range of coach services. The latest response from the minister and the department refers to a report from 2000 indicating that reinstatement costs are prohibitive but recommending that the rail corridor be retained and monitored.

Recently I sought support from the Moira Shire Council and local organisations who now strongly support the availability of the rail option. I have presented to Parliament today a petition signed by over 2500 residents of Cobram, Numurkah and surrounding areas indicating a massive groundswell of support for its reinstatement. I call on the minister to now respond with positive action to reinstate the passenger rail service.

Oakleigh Amateur Football Club: achievements

Ms BARKER (Oakleigh) — The Oakleigh Amateur Football Club has had a very good season, with three teams participating in finals last weekend. Unfortunately our seniors did not achieve a grand final win, but their superb efforts to get into the grand final will see them progress from C grade to B grade in the Victorian Amateur Football Association for 2010. Our reserves also did not achieve a grand final win, but I congratulate them on their hard work over the football season.

This year saw a new level of competition added to the Victorian Amateur Football Association — an under-18s competition — and it was the Oakleigh amateur under-18s team which won the grand final against St Bernard's. Not only did the team compete very well in this new level of competition, but Oakleigh players took out the under-18 goal kicking, with Rodney Jetta at the top of the list and Tom Costigan and Paul Tsoucalas filling second and third spots.

I am proud to be the no. 1 ticket-holder for this local community sports organisation, not only because we have so many committed, dedicated and hardworking volunteers but also because we have a group of players who continue to train and play with collective endeavour, spirit and respect for each other and other teams.

I particularly thank the executive committee led by Barry Alexander, the president, and Brendan Fitzgerald, the secretary, and many others who give so much of their time and effort. Trainers John and Belinda Bromley are widely recognised as the best any club

could have. They not only give their expert service to Oakleigh but also continue to act as head trainers for the Victorian Amateur Football Association. I thank also our coaches, Dermot Cleary, who coaches the under-18s with superb assistance from Jim Podesta; Ben Gately, who coaches the seconds and assists with the seniors; and our great seniors coach, David Gately.

Santo Costanzo

Mr KOTSIRAS (Bulleen) — On behalf of the Bulleen electorate I wish to pay tribute to Santo Costanzo, who passed away last week. I am unable to continue.

Bushfires: city of Manningham

Mr KOTSIRAS — I call upon this government not only to provide sufficient funding to Manningham City Council to enable it to map Manningham's fire spots but also to provide it with all the resources it needs to fireproof Manningham. The council is currently working with the police, State Emergency Service, fire brigades and Parks Victoria to put together a complete fire management strategy for Manningham. Knowing where the danger spots are is only part of the solution; providing sufficient funds to protect and avoid a major fire is another.

I therefore urge this government to put in sufficient resources to limit the fire risk within Manningham's open spaces, especially in Yarra Flats, Banksia Park, Birrarung Park and Westerfolds Park.

Sharelle McMahon

Mr NOONAN (Williamstown) — I rise to congratulate Australian netball captain, Sharelle McMahon, on becoming only the third Australian to play 100 tests, joining former captains Liz Ellis and Vicki Wilson. Born and raised in country Victoria, Sharelle made her international debut for Australia against Jamaica back in 1997. Some 12 years after that debut, Sharelle is regarded by many of the game's elite as one of the best netballers in the world. Acknowledged for her freakish speed and all-round agility, Sharelle's greatest quality has been her composure in tough situations. She has been responsible for shooting many winning goals, including at the 1999 Netball World Championships and the 2002 Commonwealth Games. Her stellar international career has included representing Australia at three Commonwealth Games and three world championships. These events have collectively yielded four gold and two silver medals.

Sharelle is regarded as a fierce competitor, so it seemed fitting that her team, the Australian Diamonds, rallied against its old foe, the New Zealand Silver Ferns, and came out the victor with a 36 to 33 win to mark her 100th test cap. In addition to her outstanding international record Sharelle also led her team, the Melbourne Vixens, to its first ANZ championship victory over the Adelaide Thunderbirds earlier this year.

Through her leadership Sharelle McMahon is helping the sport of netball achieve the type of recognition that it so justifiably deserves. Clearly netballers do not play for the money. That is why Sharelle McMahon is an outstanding ambassador and a humble champion, both on and off the court.

Schools: principals

Mr DIXON (Nepean) — The Brumby government does not trust Victoria's government school principals. It showed this when it tried to take away the powers of principals to suspend and expel students and again when principals had to sign agreements not to speak out about the commonwealth Computers in Schools program.

Recently another two examples of this government's failure to trust the expertise and professionalism of our principals have emerged. Principals whose schools run before and after-school care now have to prove they are fit and proper people to do so. One would think that a principal, who is a registered teacher and successfully running a school, is a fit and proper person, and that otherwise they would not be in that position. It is an insult that this government will make principals undergo another police check as well as sit an exam. Schools have been running these programs for years, and principals should not have to spend valuable time on this meaningless red tape.

A further gag on principals was leaked to me by upset principals in the southern metropolitan region. In late July they received emails from the assistant regional director, Michael Small, advising them that they were forbidden to discuss possible future funding announcements with — of all people — their assistant principals, school council presidents or business managers. If those principals cannot work with and trust these key people, they might as well go home.

This concerted campaign of mistrust of our school leaders by the Brumby government has to be reversed. Principals need to be trusted again.

Community cabinet: Frankston

Dr HARKNESS (Frankston) — What a fantastic day Monday, 24 August, was when the Brumby government's community cabinet once again visited the bayside suburbs. Frankston was able to play host to the Premier and numerous ministers who yet again saw what a great place our community is to live, work and raise a family.

St Kilda Football Club's new state-of-the-art training facility took another leap forward, with the Premier turning the first sod on the \$10 million Belvedere Park project. With the arrival of the mighty Saints, the Frankston community will be able to access a new indoor sports hall, lecture theatre and rehabilitation pool. Numerous groups, as well as residents, health providers and educational institutions, will benefit from the new facility.

Victoria's capacity to respond to a pandemic, to isolate infectious patients and to treat people exposed to chemical spills has been improved with the opening of a second negative pressure room at Frankston Hospital. The Minister for Health officially opened the \$367 000 facility which will play a vital role in keeping Victorians safe during dangerous events.

The Minister for Police and Emergency Services visited the award-winning Frankston Safer City Centre project. It is a great example of the Brumby Labor government working together with police, residents and local government to strengthen community access to police, especially around the Frankston railway station.

The Minister for Water joined me in inspecting work on the installation of a new pipeline to bring recycled water from the eastern treatment plant to irrigate sporting fields in Frankston. The playing fields at Ballam Park will be protected from drought in the future thanks to the \$4 million Frankston recycling scheme. It will provide a source of water which is independent of water restrictions, effectively drought-proofing the playing fields.

Frankston arts facilities will be upgraded with a \$650 000 grant to the Frankston Arts Centre through the Arts in the Suburbs program. Of course this long list of achievements has not happened by accident. With persistent advocacy and a strong commitment to Frankston, we are able to continue building a better Frankston.

Recreational vehicles: shire of East Gippsland

Mr INGRAM (Gippsland East) — I rise today to formally welcome East Gippsland shire to finally becoming an RV (recreational vehicle) friendly area. The RV sector is the largest-growing tourism market across regional Australia, including regional Victoria. Fully self-contained Winnebagos, caravans and RVs are increasingly visiting our area so that people can take in the spectacular natural areas and experiences. Local by-laws and signage tell these visitors to go away — 'No camping'; 'No camping on shire land' — and that they are not welcome. Basically they are sending a message to this large and very important tourism sector that it is not welcome in East Gippsland.

These messages are negative but they are also unenforceable. Over the past two years I have been working with the East Gippsland Shire Council, the Department of Sustainability and Environment, the local business and tourism authorities and the chamber of commerce to develop a policy change to encourage, regulate and provide infrastructure and support so that our region gains a greater benefit from this sector of the tourism market.

We have some great places where the people in RVs already come to stay. Whilst this generates some local opposition, it is important that we provide the regulations around the recreational vehicle sector to make sure that people in fully self-contained recreational vehicles are allowed to come and stay in our area. We can restrict those not in fully self-contained vehicles so that we limit damage and make sure we can direct where we would like these people to stay.

Mission Foods: Epping production facility

Ms GREEN (Yan Yean) — On Monday I was privileged to join at the official opening of Mission Foods' new production facility at Epping in my electorate of Yan Yean the Premier; the member for Derrimut; Her Excellency Martha Ortiz de Rosas, the Mexican ambassador to Australia; Michael Thurston, Consul General in Melbourne from the United States of America; Mary Lalios, the mayor of Whittlesea; Juan Gonzalez, the president and chief executive officer, Gruma Asia and Oceania; Matt Forster, vice-president retail sales, Mission Foods; and David Smorgon, the president of the Western Bulldogs Football Club.

It is great news for jobs in Victoria, it is great news for this state's food industry and great news for Melbourne's growing north. Mission Foods currently employs 470 Victorians, and by the end of 2009 its

parent company, Gruma, will have invested in excess of \$100 million in this state. Gruma is a heavy hitter in cornflour and tortilla products globally, with around 20 000 employees worldwide. The consolidation of Mission Foods' operations on this Epping site is a strong vote of confidence in the Victorian economy.

Our government is working hard to maintain Victoria's competitive business and investment environment. We are focused on securing jobs now while investing in infrastructure for our future. The manufacturing processes use new state-of-the-art technology, and this production facility has the capacity to expand to 600 jobs. It is also the region earmarked for the relocation of the Melbourne wholesale markets, which will cement Epping as the epicentre of our state's food industry. That will be buttressed by the rail freight hub to be established at Donnybrook.

I congratulate Mission Foods on its investment in Victoria. Of course its partnership with the Western Bulldogs makes it an even more important part of the Victorian community. I wish Mission Foods every success.

Hospitals: health funds

Mrs SHARDEY (Caulfield) — I raise the issue of the Victorian public hospitals being reported as aggressively pursuing the private health insurance dollar by enticing patients to bill their treatment to health funds in exchange for taxpayer-funded handouts or benefits. Health funds have been reported as being outraged that the state-run public hospitals are not just encouraging patients to elect to be treated privately but are also offering to pay their out-of-pocket expenses and offering other inducements to sweeten the deal. This has been interpreted by the federal director-general as an action which will have the effect of attracting patients from private hospitals and adding to public hospital waiting lists. It is also claimed that the action may potentially breach the Trade Practices Act.

Cash-strapped Victorian hospitals with increasing public waiting lists are going to extraordinary lengths to attract private patients, with Ballarat Health sending out a brochure offering pregnant women with private health insurance up to \$600 to use its public maternity ward and bill their health fund. The \$600 may be used to pay front-end deductibles, to make a single-room co-payment or to pay an obstetrician, or it may be traded for a trip to Melbourne to see a show, to have the patient's house cleaned or for a day spa treatment.

At a time when the elective surgery waiting list at Ballarat has grown to its highest level since 2004, one

can understand there might be a high degree of angst because taxpayer dollars are being used in this manner. This is all happening when the federal Labor government, contrary to its election promises and apparently with the support of the Victorian Labor government — —

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

Tianjin International Children's Culture and Art Festival

Mr LIM (Clayton) — I rise to congratulate the Melbourne students who recently won three gold, two silver and six excellence prizes at the 2009 Tianjin International Children's Culture and Art Festival in our sister city. The paintings of over 1000 students from 43 countries were part of this competition, including paintings by 45 Melbourne students we sent to the festival. Furthermore, Melbourne's well-known Scotch College music school, which has a 158-year history, sent 15 young artists to perform at the opening and closing ceremonies of the Tianjin festival.

I am very impressed by the talent of our young student artists. All our gold-medal-winning paintings will be included in a commemorative album, which will be presented as a gift to United Nations diplomatic envoys and heads of states visiting China as well as foreign embassies in China. At the festival's closing ceremony, which was held next to Melbourne Park in Tianjin, our sister city, students and teachers from Melbourne used some simple Chinese they had learnt on this trip to sing a song to extend their appreciation to their Chinese friends for their very warm welcome. I am hopeful that such events, engagement and exchange will continue to nourish young minds in the two great sister cities and the two countries.

Liquor: licences

Mr O'BRIEN (Malvern) — On 9 July this year, the Brumby government announced with great fanfare that its new liquor licensing compliance inspectors were hitting the streets. According to a press release from the Minister for Consumer Affairs, the compliance directorate was:

... the latest government initiative to promote public safety in and around Victoria's entertainment precincts ...

How are Tony Robinson's untouchables going in securing the streets against the rising tide of violence and antisocial behaviour? Recently I received an email from a business that sells gift hampers, some of which

contain a bottle of wine, for which the business has a liquor licence. The email says:

... for your information, we recently had a compliance inspection at our ... store. We were sent a warning notice because we did not have a 'red line plan of the licensed premises' on the premises. This is a plan to show where liquor is stored on the premises.

With all that is presently going on with liquor-fuelled violence, one wonders whether the limited resources that are available could not be better used, other than checking red-tape bureaucracy.

I am also aware of a local Chinese restaurant that is being pursued by compliance inspectors over similar paperwork issues.

I will let the minister in on a secret: hamper retailers and Chinese restaurants are not the reason it is unsafe to walk the streets of Melbourne at night. But this is where Labor's compliance inspectors seem to be spending their time, instead of on tackling the real contributors to antisocial behaviour. The Brumby government needs to understand that when it comes to violence on our streets, bureaucrats with biros are no substitute for cops with cuffs.

Brooklyn Payne

Ms GRALEY (Narre Warren South) — In July of 2008 a young lady by the name of Brooklyn Payne, who was only eight years old, started a battle to have a rebound wall built for her local community. Brooklyn, an avid tennis player, was not merely motivated by her own desire for a local place to practise tennis but by her belief that all children in her local area deserve something more. Brooklyn decided that the best course of action was to take the matter directly to the local government authority. She leapt into action, taking up a petition and single-handedly collecting 44 signatures from her friends and fellow students requesting that the council swing into action and provide Brooklyn and her peers with a rebound wall. She also launched a pretty savvy media campaign.

Seeing the enormous efforts of this remarkable eight-year-old, and seeing that she had the support of her community, the council gladly accepted the petition and were about to act when the Brookland Greens gas fiasco occurred, drying up the funds necessary for the rebound wall. It is unbelievable, but that was the excuse. But Brooklyn never gave up the fight. All looked lost until July this year, when she received word from Cr Stapledon that the rebound wall was back in the council's budget and would be completed by the end of the year. Brooklyn is a special individual; she has the drive and commitment necessary to succeed. In

doing so, she has provided for her local community for years to come. She stuck with her project and did not let go until she succeeded.

Brooklyn is also the winner of my community spirit and leadership award. I look forward in coming years to watching Brooklyn Payne continue with her leadership role in her school and community. I know her parents Stewart and Raelene are very proud of her, and rightly so. They have a little star in their family. Congratulations Brooklyn!

Liquor: licences

Dr SYKES (Benalla) — Yesterday in question time the Premier boasted about the massive hike in liquor licence fees as a positive step to control the alcohol and drug-fuelled violence in Melbourne's CBD (central business district) and other locations in Victoria. Unfortunately the licensees in country Victoria will experience liquor licence fee hikes of between 200 and 1000 per cent, and they do not share Mr Brumby's views.

Over 40 licensees in north-east Victoria have contacted me. They are outraged at the cash grab which will net the Brumby government an extra \$20 million in revenue. The licensees are outraged because their pubs, bars, restaurants, cellar door outlets, conference venues and packaged liquor outlets have a squeaky clean history in relation to violence-related infringements. Only one licensee has had any sort of infringement. That involved an under-age person being found in possession of alcohol in the licensee's hotel car park. It is hardly in the same category as the kickings and bashings we see outside Melbourne CBD nightclubs.

To pay these fees many licensees have said they will have to slash their sponsorship of local community groups and activities. Other smaller establishments are concerned this price hike may be the straw that breaks the camel's back. This is particularly the case for smaller restaurants and catering businesses who already work on low margins and have a high churn rate.

I repeat my invitation to the Minister for Consumer Affairs to come with me and hear firsthand the concerns of many law-abiding small businesses and their communities who will be unfairly hit by these ill-conceived liquor licence fee increases.

Fr Bob Maguire

Mr FOLEY (Albert Park) — On Sunday I attended the Church of Saints Peter and Paul in South Melbourne, and the walls withstood the challenge! The

mass was delivered by Fr Bob Maguire, the parish priest for the past 36 years, and was a statement by the wider community and people of all religions and beliefs of their support for Bob on the celebration of his 75th birthday. Many were there to reassure him of their support for his proposals and for the way he is dealing with his difficulties with the archbishop, who is seeking to force Bob to resign. Although the theory behind the archbishop's position is that having turned 75, Bob is required to submit his offer to resign and then the archbishop is to consider it, there is plenty of evidence His Grace has already made up his mind.

This was a view reinforced by media coverage on the same day, which suggested the archbishop wants Fr Bob out not because he is turning 75 but because the archbishop does not like how Fr Bob spends money on the poor. Fr Bob has been accused of selling off assets to fund his charitable works. But as His Grace knows, only the archbishop can approve the sale of any parish assets; hence any sales that have occurred over the past 30 years have been done at the parish's instigation and with the full knowledge and ultimate approval of the archdiocese.

Bob has spent resources on the cause of the disadvantaged and the dispossessed, irrespective of whether people were the deserving or the undeserving poor. I believe the broad support that Bob has, together with the fact that at 75 years of age he is still fit, well and sharp of mind, ought to be enough evidence for the archbishop to make the decision that Bob can continue as parish priest. But perhaps it is best to finish on the advice of the gospel according to Matthew:

I was hungry and you fed me — —

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

Police: resources

Mr BURGESS (Hastings) — I receive daily complaints from residents in the Hastings electorate about escalating violent crime, graffiti, vandalism, hoon driving and alarming police response times. The worsening response times and frequent inability for police to attend are not the fault of our hardworking local police officers. The blame lies squarely with the Premier.

There are simply not enough police officers to adequately protect our community. There is a massive conflict in the way crime statistics work in Victoria. The fewer police there are, the fewer crimes get reported, and crime supposedly goes down. This creates a strong disincentive for police command and the

Brumby government to properly resource police stations. The perception of a low crime rate is far more important to police command and the government than actually stopping crime.

The Brumby government has had 10 years and more than \$300 billion and has imposed 25 new and extended taxes. Police fines have increased by 397 per cent to \$492 million, and yet the Premier refuses to adequately resource our police force. Premier Brumby claims to have increased police numbers, but refuses to explain why there are 600 less police on the front line.

Somerville Preschool: 50th anniversary

Mr BURGESS (Hastings) — I would like to congratulate Somerville Preschool on celebrating its 50th anniversary. A wonderful day and afternoon tea was enjoyed by past and present staff, students and their families on Saturday, 12 September. A slide show and photo board of the last 50 years provided great insight into the history of the preschool, and it was a reminder of how important and nurturing this preschool has been for so many young children and their families. I congratulate teachers Lesley Catron, Sally Perry, Linda Toporzisek and Annie Cook, the president, Bernie Carne, the secretary, Michelle Arthur, and organisers of the 50th celebration, Kristy March and Jacquie Debnam.

Shirley Davies

Mr BURGESS — I congratulate Shirley Davies for her 15 wonderful years of dedication and commitment to the Hastings-Western Port Historical Society.

Caroline Springs College: facilities

Ms KAIROUZ (Kororoit) — On Wednesday, 9 September, I had the pleasure of joining the Minister for Education at Caroline Springs College's Brookside campus when the years 7 to 9 building upgrade was officially opened. The new building is the result of \$4.5 million in state government funding. The new campus is enjoying a brand-new science lab, robotics area and food technology facility equipped with state-of-the-art information and communications technology facilities.

The college also received an additional \$3 million from the Rudd government's Building the Education Revolution stimulus program. This will be used to build a full-sized gym linked to a multipurpose space that will be used for many interesting programs and activities. A further \$200 000 of National Schools Pride money has

been invested to upgrade the school's sports ovals and facilities.

Caroline Springs College has grown from strength to strength, from only 70-odd students in 2000 to almost 3000 students today. This is reflected by the growth in Caroline Springs, the fastest growing area in the state thanks to the Brumby government's first home owner grant scheme.

I thank the school director, principal, council and students for their hospitality. They used their brand-new food technology equipment to serve tasty sandwiches, pies, cakes and quiches. I look forward to attending the school for many exciting events and to working with it in the future.

Coatesville Primary School: environmental award

Mr HUDSON (Bentleigh) — I congratulate Coatesville Primary School on receiving an award for environmental excellence in primary schools from the City of Glen Eira. At Coatesville the whole school community is committed to reducing the waste of water and energy and increasing biodiversity. In 2008 the school conducted an energy audit. Each classroom has an energy monitor or power ranger to make sure lights, heaters, air conditioners and computers are turned off when not in use. Its Waste Wise program has included rubbish-free lunches, paper and cardboard recycling, scrap boxes in every classroom, double-sided photocopies and aluminium can recycling. In addition, the school has used a second-hand portable to create a classroom dedicated to sustainability and the environment. Around the classroom students have planted a garden from which they have harvested herbs and vegetables which are turned into nutritious dishes they share.

The school has also introduced water-saving measures including water tanks, flow-control valves, dual-flush toilets and no-flush urinals. These initiatives are projected to reduce water consumption by over 53 per cent, or 912 kilolitres, per year. The water conservation message is carried into the classroom where the students explore all aspects of water and water conservation. In addition, each year the school participates in the schools tree planting day run by Planet Ark, and it has managed to plant over 200 trees and plants. Congratulations to all the staff and students at Coatesville Primary School on this well-deserved award, and particularly to Sue Clowes, the sustainability coordinator, who has done so much to promote environmental education in the school.

Brett Stanton and Michael Hurley

Mr LANGDON (Ivanhoe) — Today I pay tribute to two local residents, Brett Stanton and Michael Hurley of the Essendon Football Club — jumpers 5 and 22 respectively — for an outstanding season. Michael played his first season for Essendon this year. Both were students at Viewbank College and are shining examples for young people in Viewbank, the Ivanhoe electorate and the general community. Well done to them both, and may they both continue their success on and off the field.

MATTER OF PUBLIC IMPORTANCE

Housing: government initiatives

The DEPUTY SPEAKER — Order! The Speaker has accepted the following matter of public importance submitted by the member for Derrimut for debate:

That this house congratulates the Brumby Labor government for its continued investment in social housing that creates jobs and homes for Victorian families and condemns the Liberal and National parties for their continued opposition to social housing in Victoria.

Mr LANGUILLER (Derrimut) — I am proud to submit this matter of public importance. Today, Deputy Speaker, you will hear two stories in this chamber. One is the story of the Labor Party and the Brumby government, which are committed to social housing, to building homes for the homeless in our community. You will hear from this side of the house a clear policy, a clear plan of action that will deliver homes to those who need them the most. You will hear from this side of the house real examples of building homes and a commitment to partnership with the federal government that will deliver thousands of homes for needy Victorians. From members on the other side you will hear no stories of a social housing policy; you will hear of no track record; you will hear nothing except opposition to social housing whenever and wherever they can.

I proudly support the track record of the government. In partnership with the federal government it has not only grown the economy — and it has done it well — but it has made our economy the most competitive one in the land. It is not only the best economy for investment; it also runs the most successful programs in terms of WorkCover premiums. Land tax is another example. These examples illustrate why investment in Victoria is a fantastic attraction for the business community.

Members will also hear from this side of the house about a determination to grow the economy for a purpose, which is to service every Victorian wherever they live, whatever their postcode. That is why we support and endorse this matter of public importance (MPI) and lead the debate.

Let me tell members about a number of very good examples that must be put on the record. One is the partnership with the Rudd government through the National Rental Affordability Scheme, which will build 50 000 new and affordable rental homes across the nation — and thousands of them will come to Victoria. The government will continue to support the first home owner package which encourages people to get into the housing market and fulfil their once-in-a-lifetime dream of owning their own homes.

Members will hear from those of us on this side of the house about the record investments in social housing and the investments that will continue to build thousands of homes. Another example is the capital commitment of \$500 million over four years to improve and grow social housing across Victoria. Already \$250 million has been expended on the delivery and the construction of thousands of homes around the state, in effect 2350 new and redeveloped social housing properties across Victoria. Of course this means thousands of jobs for Victorian families that require employment to sustain their quality of life and their families.

I refer members to three clear examples of a government that is genuine and fair dinkum about delivering social housing. One important project that is near to us all is the Common Ground development on Elizabeth Street in the north of the central business district. An allocation of \$57 million has been made to build a 160-unit facility to provide accommodation to Victorians who have suffered long-term homelessness. This government means business when it comes to dealing with homelessness, and this is one example that it is proud of.

The second important example is the Norlane regeneration project which is delivering 200 new social and public housing homes in Norlane. It is contributing to the regeneration and renewal of Geelong's northern suburbs. What a fantastic example of a government genuinely committed to dealing with the homeless, and a government determined to look after the needy in our community.

The third important example — one of many — is the Ashwood-Chadstone redevelopment, the largest redevelopment project in the state to be led by a

not-for-profit housing association. This is another fantastic example which will deliver 170 new and affordable homes for those in need. It will also create a mixed community of families: singles and elderly Victorians living in private and social housing.

We understand how important it is to look after families. It is about delivering homes but it is also about creating jobs. It is about being sustainable and ensuring that families can continue to look after themselves with meaningful employment. The investment I referred to earlier, the \$500 million investment in social housing which is a not only a record investment in the state but also in Australia, will generate in the order of 2000 new construction jobs. There will be many jobs to sustain many families. Those 2000 Victorians will have the security of a good job in the construction industry at a time when Victoria and Australia are negotiating their way through the most severe global economic downturn since the Great Depression.

These are good examples, but it would be remiss of us on this side of the house not to recognise and not to put on the record that much of this can happen because of our partnership and our good, constructive relationship with the Rudd federal government — the Labor government in Canberra. Members would be aware that a nation-building economic stimulus plan is investing \$5.65 billion in building new social housing and upgrading existing homes across the nation. This will mean 19 200 new homes across the nation and \$400 million for repairs and maintenance.

What does that mean to Victoria? This matter is important to us on this side. Members will not hear much from the other side of the house other than whingeing, complaining, nagging and knocking down the very homes, programs and plans the Labor governments are putting into place. In Victoria more than \$1.1 billion in funding for construction of new homes will deliver 4500 new units of social housing. There will be significant upgrades: 1600 homes will be properly upgraded because they were not looked after by previous administrations. Repairs and improvements will benefit more than 4000 units. We are proud of this track record and of the fact that only Labor governments have meant business and have delivered to communities across the nation. In the state of Victoria we have record funding for social housing and for the purpose of looking after those members of our community who need help from the state and the government.

What will we hear from the other side? One can anticipate it will be not much. The truth of the matter is the chamber is empty because the opposition cannot

sustain good news and cannot tolerate the fact that this government is concurrently committed to growing the economy and delivering on social justice issues — good health, good education, good housing and indeed employment for all Victorians. We will hear from members on this side that the Liberal Party produces press releases. How many of them? It has produced 60 press releases on housing. How many of them contained a word, let alone a sentence or paragraph, in relation to social housing or a commitment to building one new unit?

Mr Nardella — Sixty!

Mr LANGUILLER — In fact the member for Melton is wrong: the 60 press releases refer to nothing in relation to social housing. I am sure we will hear from the member for Melton, because in 60 media releases on the housing portfolio the opposition has said nothing in relation to social housing. I hope members on the other side will submit an apology to the people of Victoria and the people they claim to represent in the western suburbs.

The Liberal member for Western Metropolitan Region in the Council, Bernie Finn, has called for the two towers of public housing in Williamstown to be sold off to property developers. Here is a member from the western suburbs, elected in the western suburbs by the people of the western suburbs to represent their interests, and at the first opportunity available to him this member for the Western Metropolitan Region opposes social housing. I am sure the member for Williamstown will proudly stand and indicate how committed he is to social housing and how that member for Western Metropolitan Region is not committed to social housing. In fact Mr Finn advocated not building this social housing project and called for the land to be sold to private developers.

There is another matter we will hear about from this side. I hope members on the other side, for once in the 10 years of Labor government, come into this chamber and submit an apology, because they have been exposed. We read in the *Age* last year, reportedly from internal Liberal Party correspondence, that:

... public housing is for lazy layabouts that don't work and are a drain on the rest of us.

Here is the opposition's policy. It has no policy, but whenever the opportunity arises the opposition opposes social housing, it condemns it and does not show any interest. In fact if there were one policy we should remember and remind ourselves of, it was a commitment made by the Liberal Party at the last

election. Compare our track record of \$500 million for building thousands of homes in Victoria. How much did the opposition promise at the last election? Five million dollars. I checked the papers on the weekend, as I do. The housing prices were interesting. How many homes can that \$5 million build? In Brighton you can buy one home with the \$5 million promised at the last election for the purpose of social housing.

Time and again, whenever the opportunity arises, the opposition finds itself in the gutter. The federal member for Dunkley has been caught red-handed spreading lies about how much investment is planned in the city of Frankston. He also opposes social housing in that municipality. I say it is tragic. I would have thought better of a member for the Southern Metropolitan Region in another place, but Cr Paul Peulich of Kingston City Council has been vocally opposing a project adjacent to the old Moorabbin town hall that was granted a permit by the council. It was a 7 to 2 vote — 7 councillors voted in favour of the project — and the opposition is misleading locals by claiming that the project has been granted a permit outside of the normal process.

From this side of the house we hear about a genuine commitment to social housing, a record investment in the order of hundreds of millions of dollars and the building of social housing all around the state. No matter where people live, no matter their postcode, this Labor government is determined and committed to progressively address the issue of homelessness and progressively address the needs of those in the community who need the most.

We are proud of our track record. We have committed \$500 million to new social housing projects. That is a massive commitment under the Nation Building economic stimulus. We are continuing to invest in upgrading our housing stock and redeveloping our state, and we are continuing to commit to revitalising our communities through neighbourhood renewal.

In conclusion, members will have heard by the end of this morning that this side of the house has made a record commitment to social housing, a commitment to creating jobs and a commitment to looking after people in our community who need the most. Those on the other side will try to finish this off as quickly as possible. I can just hear them wanting to go for lunch, because they have no story, no policy, no commitment — nothing but obstructions to social housing projects in Victoria.

Mr THOMPSON (Sandringham) — Under Labor, Victoria is facing a housing crisis. Over the past

10 years investment in private, public and community housing has failed to keep pace with population growth and the increased demand for housing. The housing crisis is a crisis of Labor's making, yet the minister's only response has been to boast of the government's inadequate investment in public and community housing and to continue to ignore the private rental and home ownership markets. It is time the minister stopped counting dollars and cents and started counting the human cost of the failure to provide adequate housing for the Victorian community.

The public housing waiting list reached a seven-year high in March 2009, with 38 980 families waiting for public housing. In the March quarter alone 1120 families joined the list, and in the past 12 months 3600 families joined the list. With only two weeks left before the September reporting period finishes, the minister still has not released the June 2009 waiting list figures.

It is important to point out that no side of politics has a monopoly, as in the words of a former prime minister — 'No side of politics has a monopoly of either virtue or merit. Each according to its own value system has attempted to improve the lot of Australians'. In the area of public housing that is equally true. Being partisan, inaccurate and lacking any semblance of objectivity in debate does not assist the cause of good politics. We all have a role as political warriors in this chamber, but we have a higher obligation to not misrepresent the facts of the situation, which is what has happened in this place over the last few months with the development of a number of housing projects around the state.

The opposition has concerns about a number of matters, including the bypassing of local planning processes and the failure to follow the social housing policy of the last 30 years to integrate wisely social housing with private homes to avoid the concentration of disadvantage. We question whether the government's ad hoc approach will provide long-term advantages or disadvantages to communities.

Close to my electorate is an example of the government's approach in the form of housing development proposed on land proximate to the former city of Moorabbin town hall. At a public rally it was argued that, and I quote from a document of the Friends for Moorabbin Action Group:

The process for this development was flawed because not a single resident was informed. The site is wrong for a residential development given heavy —

congestion, chronic shortage of car parking in the area and absence of open space for residents.

It was argued that:

This development would undermine Kingston's town hall and the arts centre which are used by many groups in the municipality and the region.

In the development of public housing it is important that decisions be made wisely. It is important that they be made not only for short-term economic impetus but also for the good of the future role of housing estates. Those estates must be in areas which can accommodate the populations that will reside in those developments, where there is good recreational and public open space and where there is ready access to public transport, which is vitally important. In the case of the proposed development in the city of Kingston there is virtually no recreational space in the immediate vicinity, and it is in a precinct that is adjacent to one of the most important arts and community areas in the city.

The old Moorabbin town hall precinct is a vital community area which accommodates large audiences, school communities and the arts community. It is important that there be ready access to parking and, in terms of a public housing estate, available access to public open space. There is a wrong juxtaposition of these two competing demands, and it is important for the government to go back to the drawing board and rethink this proposal.

There are further problems. One need only look at the lack of accountability on the part of the government. The honourable member for Derrimut pointed to the \$500 million investment in the current project, but that is a small amount when compared to the loss of public funds in failed IT projects, one of which was in the public housing area, the Anite program, which supported the HiiP (housing integrated information program) modernisation process for the computerisation of public housing in Victoria. The project was due to be completed five years ago; it is still not completed. The first contractor had to be bailed out. Despite indications to the Public Accounts and Estimates Committee and to the Auditor-General that the project would be completed by late 2008, it has not been completed. This fiasco can be added to the fiascos with myki, Project Rosetta, HealthSMART or SmartNet, in the case of the education department. Hundreds of millions of dollars of Victorian taxpayers money that could have been deployed to meet social housing needs have been wasted by bureaucratic incompetence and inadequacy in failing to meet not only the initial time frames for the development of

traffic —

public computerised infrastructure but the subsequent time lines the government set itself.

Victoria has the longest turnaround time for public housing vacancies of any mainland state. The average turnaround time of 27.2 days is unacceptable when there are 38 980 families waiting to fill the vacancies. Even more concerning is that waiting times for urgent housing are increasing. Public housing stock in many local government areas actually decreased between June 1999 and June 2008, according to 2008 data from the *Summary of Housing Assistance Programs 2007–08*, which is the latest data available. In Geelong and Morwell the waiting list has more than doubled since 1999 but housing stock has declined.

The Labor Party has failed to provide affordable and secure housing to some of Victoria's most vulnerable families. Public housing waiting lists have reached a seven-year high, as I alluded to earlier, of 38 980 families. With an average of 2.6 persons per household in Victoria, the families languishing on the Premier's public housing waiting list would fill the Melbourne Cricket Ground on Australian Football League Grand Final day.

The shortage of public housing has particularly impacted on country Victoria. While the waiting list in metropolitan Melbourne has fallen slightly — by 2.45 per cent since June 2000 — public housing waiting lists in country Victoria have increased by a substantial 51.55 per cent. In addition, statewide waiting times for urgent early housing have blown out from 2.8 months in 1999 to 6.1 months in 2006–07. Public housing should be the most important safety net that protects and supports Victoria's most vulnerable families. Unfortunately under Labor holes have developed in the safety net, and the most vulnerable are falling through it into homelessness.

The 88 members in this chamber would be aware of the people who line up for public housing. There are people who might have severe medical needs. Chronic rheumatoid arthritis is the disability that afflicted one of my constituents. It took far too long for her to access public housing, but through strong representation and the defined and clear need on her part, fortunately she was able to gain access to it. There is example after example in our electorates of people who need housing arrangements that are safe and consistent with their personal circumstances, and clearly that is where taxpayers dollars should be directed.

Earlier I alluded to the tens of millions of dollars wasted by the Labor Party in government through the failed delivery of important projects. I direct the

honourable member for Melton to the Auditor-General's report that looked at the failure of the HiiP system in delivering to the people of Victoria a computerised housing system that would improve efficiencies. Even as we speak, the original five modules of the project, extended into seven phases, have not been completed. The increased cost of running a duplicate system is \$2 million a year, and that would provide additional housing. This is in addition to the cost overruns. I am of the view that they will run beyond the \$93 million budgeted for the implementation of the entire program.

Turning to the question of homelessness, under Labor the incidence of homelessness has also continued to grow. In 1996 there were some 17 840 homeless Victorians. That figure rose in both the 2001 and 2006 census periods to reach 23 300 in 2006. Under Labor the availability of rental properties has become increasingly tight and rental affordability is declining. The availability of affordable accommodation is especially limited for low-income households who require smaller one to two bedroom accommodation in Melbourne.

Then we have the example of home ownership. Under Labor the cost of housing has soared, blocking low-income families out of home ownership for unacceptable periods of time. In 1999 Victoria enjoyed the highest home ownership level of all Australian states and territories, with 75 per cent of Victorians owning their own home. However, under Labor Victoria's home ownership fell to only 70 per cent by 2006. New data for the latest period is not due until November this year, but it will be interesting to see how this figure may have further declined.

A number of years ago having a job and the opportunity to own your own home were considered key objectives within a worthwhile society, but Victoria is falling behind one of its traditional benchmark achievements — that is, the opportunity for all Victorians to own their own home. In addition the average new mortgage in Victoria in 1999 was around \$134 000; by June 2009 the average mortgage had blown out to \$255 000, making it harder for young families to enter the housing market. Over the last decade the level of home ownership has fallen, homes are now less affordable, rental properties are increasingly less accessible, waiting lists for public housing are increasing and there are now more homeless Victorians than ever before.

We can look at the role of the federal government, too. Housing is a shared responsibility between the state and

federal governments. Unfortunately under the Rudd government the new national affordable housing agreement (NAHA) has failed to deliver the additional dollars for investment in public housing that were expected. The NAHA replaced the commonwealth-state housing agreement, and housing agencies were disappointed that it virtually only continued the current funding and did not deliver substantially increased funding. Under the national stimulus package it is noteworthy to point out that originally Victoria was allocated 5000 out of the 20 000 homes to be built under the package; then the federal government announced that 800 homes would be slashed from the program to divert the money to a funding shortfall in the education portion of the stimulus package. Of the 800 properties slashed, 461 properties, almost 60 per cent, were cut from Victoria's share.

I invite government members to start lobbying more strongly on behalf of Victoria to see a reinstatement of a greater proportion of the federal government's funding allocation under the national stimulus package, so that we can redress the difficulties that have arisen in this state as a consequence of the reduced level of home ownership, the increased price necessary to mortgage young families into new homes and the increased number of people on waiting lists who are otherwise classified as homeless in this state. If Victoria gained a sufficient share of federal funds, perhaps there would be 461 additional households in this state that would otherwise be facing tough times or sleeping rough.

The federal minister blamed bushfire rebuilds, saying Victoria could not cope with the building load. This has been proved to be wrong. Christine Nixon revealed on *Stateline* recently that only about 800 building applications had been lodged, the majority of which are for sheds, and only five homes have been rebuilt to date. Noteworthy, too, is that housing commencements also fell in Victoria in the June 2009 quarter.

On the question of the Housing Affordability Fund, Victoria was short-changed on funding in the first round of grants, receiving only \$9.995 million of the first \$112 million in grants. This is despite Victoria making up 24.8 per cent of Australia's population. Victoria received less than 10 per cent of the initial funding allocated under the Housing Affordability Fund. Then we come to the federal funding of the national rental affordability scheme; in April 2009 Victoria received the lowest funding per capita under the national rental affordability scheme. Tasmania received nine times the incentives per head of population that Victoria received.

In relation to the matter of public importance before the house, it is important that debate be objective, that debate take into account the concerns of the opposition in relation to the bypassing of local processes, the failure to follow the social housing policy of the past 30 years to integrate social housing with private homes to avoid concentrating disadvantage and whether this ad hoc approach by the government will provide long-term advantage or disadvantage.

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

Mr NARDELLA (Melton) — Social housing creates jobs, creates homes and keeps families together. I want to contrast our policy especially with what the honourable member for Sandringham, who is part of the renewal for the Liberal Party within this state, has just said. The honourable member for Sandringham demonstrates dog-whistle politics — that is, what the Liberal Party goes out there and says and what it really means. The Liberal Party talks about the process for land near the Moorabbin town hall, saying public housing should not occur because the process was not followed. But when you really look at this, you see the Liberal Party is saying there should be no public housing, because if you just follow the process, you see the process is all about how the Liberal Party gets the community and the people within the community to oppose public housing. It is about how it rallies its troops and rallies its numbers against public housing.

That is what Kingston councillor Paul Peulich and Andrea Coote, a member for Southern Metropolitan Region in the Council, have been doing out there in relation to that Moorabbin town hall development. That is what the honourable member for Sandringham is talking about. These people oppose public housing. They do not want to see any public housing built here in Victoria, because that is their record. In the seven long, dark years they were in office, all they did with public housing was sell it off. Every single time they had to do some maintenance, every single time their waiting lists went through the roof, all they did was sell off public housing.

They did not sell it off for \$500 000 a house or \$300 000 a house or \$100 000 a house or \$80 000 a house or \$70 000 a house or \$60 000, \$50 000, \$30 000 or even \$20 000 a house. When these people on the other side were in office they were selling off public housing house and land stock for \$16 000 in places like Latrobe Valley, Heidelberg and other places within the metropolitan area, yet they have the gall to come in here today and to say they support public housing.

The Liberal Party is not dog whistling in Frankston. In Frankston Bruce Billson, the federal Liberal member for Dunkley, is out there constantly saying, 'This public housing should not be built. The process is wrong'. The honourable member for Sandringham has just said, 'The process is wrong because we do not want these public housing tenants here. We do not want to look after the poor'. The Liberal Party has never looked after the poor and has never cared about poor people.

What did the member for Sandringham say? He said Moorabbin is an arts precinct. Moorabbin is where the arty-farty within our society go and look at art, go and look at paintings and go and have a look at photography and sculpture. But should poor people be in the arts precinct? Not according to the honourable member for Sandringham. You cannot have poor people in Moorabbin to look at art, to be out there with the hoi polloi, because that is not what the Liberal Party is about. Liberal Party members do not like public housing. They do not believe in public housing, because their modus operandi is one of destroying public housing within this state.

If honourable members can remember, this started back in the early 1980s. Who was the Minister for Housing back in the early 1980s? It was Jeff Kennett. When he was Minister for Housing back then, what was his modus operandi? It was about selling off public housing; it was about getting rid of it. He continued to do so during his seven long, dark years as Premier. Every time that some housing became vacant, he flogged it off. Now the Liberal Party continues down the same line.

What is the view of Bernie Finn, a member for Western Metropolitan Region in the Council, who represents the good people of Williamstown — the good people, the poor people, the disadvantaged people in the two towers in Williamstown — about looking after them? His view is that they should be chopped off at the neck, that their secure public housing should be sold off from under them to the private sector. Do they care about parking, or do they care about any of those services that the honourable member for Sandringham talked about? Of course if it were a private development, he would not be talking about the lack of parking or the lack of open space. What a nonsense to be raising this dog whistle of an issue here in this Parliament.

There is housing all around the old Moorabbin town hall precinct. Is the honourable member saying that all those people should leave those houses because there is not enough parking? If that were the case, you would never build another house, another apartment, another

unit anywhere in Victoria, because the argument is a false argument. The argument is: we do not support any public housing here in Victoria. But that is the attitude of the Liberal Party. Its attitude is to kick poor people, to kick working-class people when they are down. It is about not looking after their needs.

The honourable member for Sandringham got up today and said the housing waiting lists have gone up. Of course they have gone up! They went up under the Kennett government because it was selling off public housing units.

Honourable members — Howard!

Mr NARDELLA — My honourable colleagues on my side are saying 'Howard'. During 11 years of the federal Howard Liberal government \$1 billion was slashed from public housing. The commitment of the Liberal Party to public housing is to slash public housing. The commonwealth-state housing agreement was not signed in the last years of the Howard government. It was delayed for months and months because that government did not want to put any money into public housing in this state or anywhere else within Australia. Yet opposition members have the gall to come in here and talk about that today.

The honourable member for Sandringham talked about — and this is another one of the great furrphies that the Liberal Party is running — the reduction of housing stock in Victoria. This is from this lazy opposition — these lazy Nationals and Liberal Party members whose hearts are not in housing, who cannot develop policy and cannot do a little bit of research. Let me do some research for them. What has occurred is that quite a number of housing units and quite an amount of housing stock were in the public domain. They were then given to a number of housing organisations to provide a capital base so they could go out and borrow some more money and increase the amount of rental stock within Victoria. There has been no net loss of public housing here in Victoria.

Mr Foley — It is the opposite.

Mr NARDELLA — In actual fact, as the member for Albert Park says, it is the opposite: public housing has increased. Opposition members are so lazy that the shadow Minister for Housing, Ms Lovell, a member for Northern Victoria Region in the other house, does not understand this. She has put out a press release saying that the housing stock has decreased, whereas in actual fact it has increased. It is because her heart is not in this.

The opposition's heart is not in public housing. The opposition does not have a heart when it comes to poor people, working-class people or disadvantaged people who need a roof over their heads; otherwise it would be supporting our policy. Its members would not be going out to Warrandyte with the dog whistles and saying that the process is wrong for public housing. In actual fact what they are saying is, 'There should be no public housing in Warrandyte because we don't want the poor and the disadvantaged and the working class out there at Warrandyte'. That is their position. They hate poor people, they hate working-class people, they hate people who are disadvantaged within our community, and yet they have the gall to come in here and not even acknowledge the \$500 million that we have put into public housing since 2007, of which about \$250 million has already been spent. They are bereft of ideas, bereft of policy, and they should be condemned for their position on public housing.

Mr DELAHUNTY (Lowan) — It is always great to follow the member for Melton, and it is good to see him sit down because I was getting worried that he was going to have a heart attack; he was getting so passionate about it.

The reality is we have in front of us here today facts that refute what the member for Melton said, and I will get to those soon. I say to members, as the shadow minister for youth affairs, secure, affordable housing is a prerequisite to giving our children a good start in life. Without stable, affordable housing, children are most likely to suffer abuse and neglect and their growth and development is likely to be compromised. We have plenty of examples to show that in 10 years, with rivers of money pouring into the Treasury coffers, Labor has let down the people involved with public housing in Victoria.

During the last 10 years Victorians have been hit hard with 25 new taxes under this Labor government, netting the state Treasury billions of dollars, not only from taxes but also from the GST and the like, and yet we have a growing public housing waiting list and increasing maintenance problems. We have inspectors who do not even go to these houses for sometimes as long as three years. We have the longest turnaround time for any mainland state in getting public housing, public housing stock in many local government areas has decreased and waiting times for urgent housing have blown out from 2.8 months in 1999 to 6.1 months in 2006–07, the latest figure we have. The incidence of homelessness has grown under this Labor government. We have a lot of facts in front of us here today that show that Labor has let down people it claims to support.

Home ownership, as I have always said, is an aim that any growing person hopes to achieve in a growing state like Victoria and a prosperous nation like ours, but under Labor home ownership has fallen as a percentage from 75 per cent in 1999 to 70 per cent in 2006. This Labor government has introduced new taxes on developments, restricted land release and increased stamp duty, and all of these things have contributed to higher costs for housing, making it harder for Victorians to realise their dream of owning their own home.

Let us go through some of the facts that the member for Melton wanted to talk about. Public home ownership is not opposed by this side of the house, but importantly when we are planning these developments we must get the process right. I have always been a strong believer that if you get the process right, you get the outcome right. There is something wrong in this state when we are seeing a bypassing of local planning processes involved with this type of development. These are some of the things the government has to get right. The member for Melton spoke about destroying public housing. What a lot of rubbish. There was no money in the bank when the coalition came back into office in 1992. This government has had rivers of money and yet we have seen a decrease in housing stock and increasing problems.

I would like to talk about some of those things. Under Labor we know Victoria is facing a housing crisis. Over the past 10 years investment in private, public and community housing has failed to keep pace with population growth and, importantly, with the increasing demand for housing. Public housing reached a seven-year high in March 2009 with 38 980 families waiting for public housing. Some 1120 families joined the waiting list in the March quarter alone, and 3600 families joined the list in the past 12 months. There are only two weeks left in the September reporting period, yet the Minister for Housing has failed to release the June 2009 waiting list figures. What does the government have to hide?

It has a lot to hide; I can give some examples. I spoke before — and I want to quickly get to these — about the fact that we have seen housing stock in many local government areas decrease, and a couple of those are in my area. There were 42 properties in the Glenelg shire in 1997–98; now there are 370. In Hindmarsh there were 56 properties; now there are 34. In Horsham there were 460 properties; now there are 428. In Ararat Rural City there were 223; now there are 181. The 297 properties in Southern Grampians decreased under Labor in the 2007–08 period to 263; and West Wimmera shire, one of the smallest populated shires,

had 28 properties in 1997–98 but that had decreased to 14 in 2007–08.

The facts speak for themselves. Public housing stock has decreased under this Labor government. The shortage of public housing has impacted particularly on country Victoria. While waiting lists in Melbourne have fallen slightly, by 2.5 per cent since June 2000, in country Victoria public housing waiting lists have increased by a substantial 51.5 per cent. As I said, the waiting time for urgent public housing has blown out from 2.8 months in 1999 to 6.1 months in 2006–07.

I share an office with the member for Morwell.

Unfortunately, because of the limited time available for this debate, he will not get the opportunity to speak on this matter, but he highlighted to me that the waiting lists under this Labor government have increased substantially. If I could use a couple of examples, in March 2009 the waiting list in Morwell was 769 people. Back in December 2006 at Morwell it was 387. Members can see that the waiting list has nearly doubled in that short period from December 2006 to March 2009.

If we look at the statewide waiting list, in December 2006 it was 34 544 people. By March 2009, this year, we see that had increased to 38 980 people across the state. As the member for Morwell has highlighted — and if you look at the figures again, they speak for themselves — the evidence is that the waiting lists in Morwell have nearly doubled since the 2006 election period when Labor promised to do so much. Again, the facts speak for themselves.

I could talk about some of the good things that have happened in my area. I went to an annual general meeting of Community Access, a good organisation that looks after people in my electorate and which is based in Horsham. In the past eight months it has developed a partnership with the government and, importantly, with the Horsham community access centre in Horsham North. This is to assist in the beautification of the Horsham North area. It involves building and erecting fences, preparing and installing red gum garden beds and also planting trees and plants in 44 Office of Housing properties. They have completed 25 at this stage, and not only does it improve the area of Horsham North, giving it more vibrancy and importantly giving people more pride in their area, but it also develops work skills for a lot of the people who are employed there, as all of them must come from the Horsham North area. It has had a huge visual impact on the area, has created a positive feel among the residents

and has also delivered work skills for a lot of these young people. There are some good stories out there.

On the downside, I have some negative stories. I have had people who are having problems with getting repairs done to their properties. I have a lady in a housing unit in Hamilton whose heater has been on freeze since April. There have been numerous calls made to the department, numerous calls made to the contractor and numerous times this has resulted in no or little response. I do not blame the housing department people. They have done good work, I believe, but the issue has not been resolved.

As the Auditor-General said last year, there are public housing problems. The government might criticise the opposition, but the Auditor-General has revealed that public housing maintenance problems have been growing under this Labor government. The percentage of properties assessed as being in good condition has fallen by 3 per cent, with only 69 per cent being assessed as being without problems. The maintenance backlog increased from \$177 million in 2002–03 to almost \$190 million in 2005–06. The Auditor-General has highlighted that even with the rivers of dollars that it has flowing to it this government has not maintained the current public housing stock in Victoria.

Many things could be done. We should encourage Office of Housing tenants to buy their own homes and the money gained could be used to reinvest in new housing stock. The government should encourage and support self-build projects. There is a fantastic example of that in Horsham. It should also provide support to innovative joint ventures and community housing projects with organisations such as church groups. Importantly, the government should assist local government with funding to improve roads, power, water and sewerage connections to land where non-government housing providers are prepared to build and manage houses for low-income families. There is much that could be done. This government has dropped the ball in relation to public housing.

Mr FOLEY (Albert Park) — It gives me great pleasure to rise to make a contribution to the debate on this matter of public importance (MPI). In particular the MPI supports the Brumby Labor government's continued investment in social housing, noting the support for the creation of jobs and homes for Victorian families and condemning the Liberals and The Nationals for their continued opposition to social housing in Victoria. Labor believes every Victorian has the right to housing that is safe, affordable and secure. Given that metropolitan Melbourne is racing towards a

population of 5 million, and given the pressures that is putting on the affordability of housing, those in our community who are less fortunate and are on low incomes have the same right as others to secure and diverse housing options, so it is not just about the notion of housing in the social welfare area.

This MPI refers to the differences not only in policy and approach to social and community housing between the parties but also goes to the world view as to why we have an approach that is different to our friends opposite. We on this side of the house believe safe, secure and accessible housing is a community right, whereas over there it seems that when you are not selling that form of housing to people and not investing in it adequately you are out there campaigning against it to make sure it cannot be delivered to communities, which reflects the sort of rhetorical position we hear from them.

The real trouble for those opposite is that it reflects their lazy, indolent approach to this issue. Sadly we have had both the member for Sandringham and the member for Lowan repeat the myth peddled by Ms Lovell, the shadow Minister for Housing in the other place. Simply through her selective interpretation of data from an Office of Housing report on the number of Office of Housing units based on local government area, she has thrown across the state the blanket position that social community housing is going backwards.

When you are stuck in the 1990s, as is the Liberal-Nationals opposition, you do not understand that the world of housing, particularly the provision of affordable housing, has moved on; you do not understand the worldwide trend in best practice in this area is for governments to partner with communities and non-government organisations to deliver not just affordable housing to those on social, community and statutory benefits but also a diverse housing option for an increasing number of people. That is why this government has put in significant effort in developing the arrangements for the housing associations and the registered housing providers to partner with us in this important task.

When the support of the state for those organisations is taken into account, let alone the proactive work that many of those groups are undertaking in their own communities across the state to develop partnerships with the private sector, we see an increasing number of social and community housing options being added to the existing public housing stock.

Unfortunately when we see those associated with the Liberal Party engage in dog-whistling campaigns,

engendering community opposition and hiding in the coward's position of pointing to process issues as the catch-all, and when we peel those claims back and see that they are baseless grounds for opposition to social and community housing developments, we really get to the nub of what it is that divides the two sides of the house on this issue. We on this side of the house believe social and community housing reflects the positive role that government can play in a market that is incredibly tight, not just in Melbourne but also around regional Victoria. It delivers the most fundamental of objectives for people as they seek secure, accessible and safe housing and acts as an anchor for them in what is most important in their lives. It provides them with the ability as either individuals or families to have somewhere to anchor their lives and gives them, whether through education, work or simply their family, the opportunity to participate in community. Those opposite take the view that, unless you have the particular wherewithal and unless you are out there on your own pursuing your individual self-interest at the expense of all others, there is no role for the state in providing this sort of activity.

We hear the dog whistles when it comes to the Moorabbin development, for instance. Apparently this did not go through normal processes. As has been amply demonstrated by the two speakers who went before me on this side of the house, nothing could be further from the truth. It went through the normal planning processes. It was overwhelmingly supported, it is in the middle of a transport area and it is precisely the sort of development that this government supports; yet we still have a hysterical campaign being run from the offices of Liberal Party members to make sure there is opposition to this necessary community development.

What we also get from those opposite is the baseless proposition that somehow or other social and community housing is simply there as a safety net. Of course we need to ensure that our most vulnerable fellow citizens have the opportunity to have secure, affordable and safe housing, but, as we are seeing in the tight housing market as Melbourne heads towards a population of 5 million people within the next decade, there is the opportunity for more than just social and community housing. We are seeing that through the innovative programs that those who have gone before me have pointed to, most notably the HomeGround in Elizabeth Street proposal. We are doing the very things that those opposite accuse of us of not doing. We are ensuring that there are diverse housing options, not just for singles but also for families and key workers and for those with a whole range of different housing needs. We need to make sure that there is a diverse range of affordable housing for Melburnians. Of course there is

more we can do, and that is why in partnership with the federal government, local councils, the private sector and community organisations we are putting a record commitment into delivery of social and community housing, which no other government in this state's history has put forward.

The sad thing is that when you look at the long-term historical development of public housing in this state you see that it was in fact a former Liberal government of the 1950s and 1960s that started much of the public investment. Yes, if we had our time over, we might not do it in the same way in terms of the concentration of housing that was put in place, but for the Liberal Party to have a proud tradition of being engaged in the mainstream of public housing debate and within the space of a generation to have abandoned that legacy through indolent work, a lack of research and not having its heart in it, is a tragedy.

We have come to the position where this house no longer has a consensus position in support of public and community housing. It would do the opposition well, particularly its lazy shadow minister in the other place, to get out a bit and engage with communities to find out what the needs are for social and community housing in this area, to make sure that it understands the trends in housing and community need for these things and the arrangements that are now in place to deliver a diverse range of housing stock to meet the needs of all in our community, rather than running around whistling up opposition on the flimsiest of grounds — indeed, sadly, making up grounds — and pandering to the worst elements, as the member for Frankston has pointed out to this house. Coming incredibly close to inciting racism in the community is a position that the once proud Liberal Party ought to hang its head in shame about.

It is a tragedy that arrangements are in place for those opposite to support programs that oppose housing for homeless youth in Frankston and that oppose housing for families in the middle suburbs around Melbourne. Indeed in my own community well-known members of the Liberal Party are involved in inflaming disputes around particular community social housing arrangements. But they will not be successful, because in civilised communities, like the one we have the privilege of living in, most people rise above the dog-whistling attacks those opposite are pursuing. Most people understand that to provide a diverse range of housing for singles, for families and for those most in need, partnership with the private sector, with community organisations and with local government is required. That is the way in which we will secure

housing as an affordable right for all in our community. This will act as the anchor that can bring people back when they are suffering homelessness and when they are going through the traumas that homelessness brings. For many reasons there but for the grace of God go many of us, and I urge the house to support this sensible matter of public importance.

Mr WAKELING (Ferntree Gully) — It gives me pleasure to rise to contribute to this matter of public importance. It is certainly interesting to hear the comments of those opposite as they defend 10 years of inaction on this very important issue. I understand that the best form of defence is attack, and one only had to listen to the contribution of the member for Melton to see that. I understand he has finally relaxed, taken a Bex and lain down after that feeble attempt. I would like to thank the members for Albert Park and Melton for pointing out one very important thing about the way this government sees planning policy in this state — that is, that the views of the community are not important and are not relevant. I thank them for their contributions, and I thank them for putting those words in *Hansard*, because I know people in my community and in other communities will want to understand that that is the approach of this government towards Victorians — that it does not care or is not concerned about the views or concerns of Victorians.

The reality is this government has had 10 years to fix this problem and has made a meal of it. The minister has no strategy to address this crisis. The Minister for Housing promised a strategy on 24 September 2006, and 1087 days later we are still waiting for it. Victoria's public housing waiting list reached a seven-year high in March 2009, with 38 980 families waiting for public housing. That is 38 980 families who have been waiting for public housing under the watch of a government that has had 10 years to fix the problem. Do not blame the federal government, do not blame the UN (United Nations), do not blame the American government and do not blame local government — it is a state responsibility. This government has had 10 years to fix this problem and has failed. Some 1120 families joined the list in the March quarter alone. In addition to that, 3600 families have joined the list in the past 12 months. Do not blame the Howard government, do not blame the UN and do not blame local government. It was this minister, this Premier and this government that had the responsibility to fix this problem.

With only two weeks to go before the September reporting period finishes, the minister is still to release the figures for the June 2009 quarter. This government clearly has no strategy for dealing with this very

important issue. It was not the Liberal Party and not the coalition but the Auditor-General who identified problems with the delivery of maintenance services. A maintenance backlog has been identified — much of Victoria's public housing rental stock is ageing and in poor condition with high maintenance costs. I know many residents in my electorate are beset with these problems because I have been out to their homes, I have been inside their houses, I have looked outside and I have seen the problems they face.

I understand the work done by departmental officers, and I know they do their best in trying times, but they are underresourced. They too are having to deal with a difficult situation. I am very pleased that I, like many members on both sides of the house, can say I have had some wins in assisting people with public housing, be it through finding housing or improving the housing stock in which they live. But it should not be up to individual members of Parliament and it should not be up to electorate officers, who are having to make representations to staff from the Office of Housing, to have these problems fixed. This should not be the natural course for improving the situation for those people who require public housing, but it has become part of the process of dealing with public housing issues in this state. In fact one resident told me they said to their neighbours 'If you want to get something fixed, do not worry about calling the Office of Housing — call the local member of state Parliament. That appears to be the only way we can get problems fixed in our street'.

Victoria has the longest turnaround time for public housing vacancies of any mainland state, with an average turnaround time of 27.2 days. This is clearly unacceptable when there are 38 980 families waiting to fill these vacancies. Many families have contacted my office about this exact issue. They have pleaded with me to try to improve their situation. They have sought appointments with doctors to see if that could possibly assist their case. They will do whatever they can to try to improve the problem. This government has had years and years — 10 years in fact — to fix this problem. Government members can sit there and whine, carp and spin as much as they like, they can blame the opposition and attack opposition members of Parliament, but the reality is that they are in government, they have the money and the bureaucracy, they are awash with money and with staff and it is their responsibility. They are in government, they are supposedly the ones with the plan and they are the ones charged with the responsibility of fixing this problem.

We have a shortage of public housing which has particularly impacted country Victoria. The member for

Lowan spoke about this. In country Victoria public housing waiting lists have increased substantially by 51.55 per cent. As members can see, this is a trend of a government which is clearly not in control. The government's way of spinning its way out of this is to attack the opposition. With the greatest respect to those members opposite, I say government members can attack me as much as they like, they can attack the opposition as much as they like, but at the end of the day the people they are attacking are those Victorians who are not in a home. The problem they face is they are attacking Victorians when they are developing public housing without any community consultation. They are attacking Victorians in local communities that have no say in planning decisions.

Members on both sides of the house agree with the concept of the policy of providing housing for people who require public housing. That is not an argument that is debated by either side. The government will throw up the furphy of class warfare. I thought we were beyond class warfare. The last time I remember dealing with class warfare was back in my university days. I am sure the member for Malvern would recollect the good times when we used to argue about class warfare.

The reality is this government has the responsibility of fixing this problem. Like so many other areas of responsibility of this state, the government has performed badly and has let Victorians down. Under Labor the incidence of homelessness has also continued to grow. In 1996 there were 17 840 homeless Victorians. This figure increased in both the 2001 and 2006 census periods and had reached in excess of 23 300 by 2006. But clearly a lot more has to be done.

Under Labor the availability of rental properties has diminished. As we all know, when people cannot get into the rental market and cannot buy a home, the only option is to couch hop — to go from friend to friend and relative to relative in order to get housing. If that does not work, they can do what one constituent of mine did — he lived in his car in the car park outside my electorate office in our local shopping centre. I am pleased to say that after successive phone calls to various agencies we managed to get that person into a public housing home. I can see his face and the way that person has improved.

One of the concerns we on this side of the house have raised — we have been attacked and vilified for it — is that this government has recently announced a range of public housing projects which have not gone through any community consultation or at the very least adequate community consultation. This is occurring in my community where residents have found out that

public housing development will be occurring on a massive scale in days and even weeks. The only way these residents knew about this was by reading an article in the local newspaper. That is not community consultation.

Those opposite will attack us for standing up for our communities. The reality is that communities have a right to have a say. The member for Albert Park said we need to learn from the lessons of the past and the way in which we handle social housing. I do not think anyone in this community would disagree with that. We only get one shot at this. If we are going to do it, we need to do it well and we need to do it right. The community needs to be taken with the government when these projects are rolled out. I, like many, will stand up for communities on that important issue.

Ms D'AMBROSIO (Mill Park) — I am very pleased to join this debate to congratulate the Brumby Labor government for its continued investment in social housing that creates jobs and homes for Victorian families and to condemn the Liberal Party and The Nationals for their continued opposition to social housing in Victoria.

Labor stands proudly on our record of support for social housing. We have invested significantly in public and social housing over the last two years especially. For the first time ever in this state, this government has made available the highest level of social housing to low-income Victorians. It is a record investment for any state. In the 2007–08 state budget capital expenditure for redevelopment and new social housing was in the order of \$500 million over four years. This will deliver and is delivering 2350 new and redeveloped social housing units. Another solid example of this government's commitment to social housing was in this year's state budget where the Brumby government announced a further \$104.8 million for homelessness and housing initiatives to assist our most vulnerable Victorians against the ill-effects of the global financial crisis. These two examples serve a dual purpose — they continue to provide affordable social housing to those in the greatest of need and they are creating jobs by stimulating the construction industry.

We are also delivering on a housing agenda for our indigenous communities, which is important. Victoria's contribution over 10 years to commonwealth-funded programs under the new partnership agreement on indigenous housing is \$304 million. Measures such as these put into action Labor's support for the right of every Victorian to safe, affordable and secure housing. This right to housing is supported by the government's

commitment to a mix of available housing, social housing, private rental accommodation and owner occupancy housing.

Our policy settings have helped to deliver the most affordable housing of all of the eastern states, together with our commitment to at least 15 years worth of land supply. We recognise the important benefits in relation to jobs that are derived from the construction of new housing. Our partnership with the Rudd federal Labor government will help build more affordable rental homes through the national rental affordability scheme. The Victorian Treasury estimates that the Victorian government's \$500 million housing investment will generate 2000 direct construction jobs, and many more indirect jobs will be created through the supply chain as a consequence.

In addition, Victoria's share of the Rudd government's \$5.25 billion investment in the construction of new homes across Australia will deliver to Victoria alone over \$1 billion in funding for new homes. This is the equivalent of 4500 new social housing units. It will also deliver major upgrades to 1600 existing houses that would otherwise end up derelict and not able to be lived in, as well as much-needed repairs and improvements to a further 4000 housing units.

The flip side of this good news is the absolute distaste members of the opposition have for social housing. They dress it up by saying their opposition to various developments is based on the need for more open space or parkland or on what they deem as inappropriate consultation in planning processes. However, at the end of the day, when you strip away the guise and pretence of the arguments what you have is a great distaste for social housing on the part of the opposition.

An honourable member — Shame!

Ms D'AMBROSIO — That is something that must be met by calls of shame from this side and from the broader public. Members of the opposition have not been supportive of public housing; in fact their public behaviour shows them as true opponents of social housing. Let us look at some recent examples that provide evidence of the abhorrence with which social housing is considered by members of the opposition. The member for Warrandyte is actively campaigning in his electorate for signatures to a petition against a significant housing project in the area. There is a lot of scaremongering. Previous speakers have commented on the disgraceful behaviour of local opposition members of Parliament against a major housing project on a site behind the old Moorabbin town hall in the Kingston municipality. The scaremongering that has been

perpetuated by the poor leadership of those opposite leaves many of us embarrassed by their performance — embarrassed by the opposition's lack of care for and attention to the most vulnerable members of the community. Members of the opposition are not well served by this poor leadership.

Public or social housing has in the past enjoyed a measure of across-the-house support. However, the Liberal Party we have today is a very different creature from the Liberal Country Party which ruled the state for a number of decades up until the 1970s. It is not a creature in the true liberal tradition — a tradition in Victoria that evolved throughout the 1800s and that had a strong streak of social conscience and acceptance of the role of government in raising up the whole of the community so that the most vulnerable would not be left behind. That streak of commitment to the social good existed for many decades and served our community well. Victoria had a proud record of good investment in social housing, education and the like. Sadly the Liberal Party creature of today is very much based on a Thatcherite model. I will never forget that this model is encapsulated in the catchcry of Margaret Thatcher when she said, 'There's no such thing as society'. Sadly there are many on the other side who subscribe to that view — that is, there is no such thing as society and therefore there is no role for government in looking after the most vulnerable in our community. We believe differently. We believe in community and in society; we do not subscribe to that Thatcherite view of the world. Unfortunately in the ethos of many of the other side those words of Margaret Thatcher still ring true.

As more evidence of the distaste of members of the opposition for social housing, at the last election the Leader of the Opposition and his cronies put forward as an alternative to this government's record investment in social and public housing a policy of \$5 million in capital funding for new social housing over a period of four years. Anyone who hears the rhetoric of those opposite and compares it with their election policy would know there is a major distortion in this debate — a major distortion of what members opposite represent and what the government represents and also delivers. I would rather be on this side. We are actually delivering and putting into reality our commitments and our belief that everybody has the right to secure and affordable housing, especially the most vulnerable in our community.

Rather than hiding behind fallacious and non-constructive arguments about open parkland, a lack of consultation on planning and the government's not involving the community on the major social housing

projects it is intent on and is going about delivering, members of the opposition should come clean with the Victorian public. They do not like social housing. They do not like it in their backyard. They will not stand up for it. They should show leadership; they should embrace and congratulate the government on its record investment in social and public housing, and they should join with us in standing proudly for delivering secure, affordable housing to the most vulnerable in our community.

Mr WELLER (Rodney) — It gives me great pleasure to rise to speak on the matter of public importance on public housing. Members of the government have come in here and said it is doing a great job on public housing, but we should understand some of the opportunities the government has had but has overlooked. Over the last 10 years the government has introduced some 25 new taxes. It has had record amounts of money to invest, but it has failed to invest in public housing. We have seen public housing waiting lists blow out each year.

I will go through some of the 25 new taxes that would affect people in public housing. A \$50 motorcycle tax was introduced in 2002; a payroll tax on apprentices and trainees was introduced in 2003; a 5 per cent water levy was imposed in 2004; an \$80 motor vehicle registration charge was introduced for pensioners, war veterans and health card holders in 2004; and tolls were introduced on the Scoresby freeway by EastLink in 2008. This is all about making money for the government. The government has had record income that it has not spent. If we look at the water levy, we see the government has increased its income by 429 per cent, yet we still have these major blow-outs in the waiting list for public housing.

The housing crisis is of Labor's making, yet the only response from the Minister for Housing is his boast about the government's inadequate investment in public and community housing and a continued ignorance of the private rental and homeownership markets. It is time the minister stopped counting dollars and started to count the human cost of his failure to provide adequate housing. On 24 September 2006 the minister made a commitment to a strategy for public housing; here we are some 1087 days later and there is no strategy. With all the resources and all the extra income that it has had over the last 10 years, the government has had no strategy at all.

Why is there an extended waiting list? Let us have a look at the statistics in my electorate. In the Campaspe shire in 1999–2000 there were 740 public housing units; in the year 2007–08 there are 739. How many are

there? One less. We have had a population growth of about 3 per cent each year over that time and we have less public housing in the Campaspe shire, yet the government comes into the house and says what a great thing it has done.

Another shire in my electorate, the Gannawarra shire, has gone from 214 units in 1999–2000 back to 180 in 2007–08. But the government is saying that it is providing public housing. It has had over \$350 billion of income in that time, yet the numbers in public housing have gone backwards. In the city of Greater Shepparton, which touches on my electorate, public housing has gone from 1320 units to 1285. In the Moira shire, which covers part of my electorate, public housing has gone from 442 back to 426. Again the number of public housing units has gone backwards, yet the government has had record income, and it has introduced more than 25 new taxes in the process.

In addition the waiting time has blown out from 2.8 months to 6.1 months, and that is on average. There are many cases that are even worse than that. I had a case in my electorate involving a single mother with two children. She called me and I went out to visit her. She had a very serious health condition which required spinal fusion surgery. This young mother lived some 200 kilometres away from friends and family. She completed the transfer forms for the Office of Housing on 12 February 2008; they were lodged on 4 March. She wanted to be closer to family and medical support, and the application was strongly supported by medical evidence.

However, the constituent advised me that the application had been denied. She had been informed by the Office of Housing that she would be placed on a four to five-year waiting list. This lady was in severe pain and her mobility was affected. She needed an operation and was in urgent need of a transfer to Frankston. A priority transfer was finally approved on 16 May, but she still faced a long wait. She was referred to my electorate office by a support agency and representations were made to the minister on 1 September 2008. She was finally housed in April 2009, some 14 months after applying for a transfer. It is not acceptable for the government to say to the house that it is looking after people in public housing.

When we are talking about people in public housing we need to consider the services they require as well. It is not enough to simply provide the housing. There is an area at Echuca in my electorate called Crossenvale. The Crossenvale neighbourhood house does a wonderful job of providing services for the people in the

Crossenvale area. A lot of those residents need the support of and the activities provided by the neighbourhood house, but the Crossenvale neighbourhood house has not been properly funded. If the government is caring for people in public housing, it needs to provide services for them as well.

In Kyabram we have public housing, but there is no public transport for the people in that area. They need public transport and they need to have taxi support — and a more generous taxi support system.

Ms Kosky interjected.

Mr WELLER — We need a government that actually cares about and supports the people who live in public housing.

Dr Napthine — And a good transport minister would go a long way to help.

Mr WELLER — I support the words of the member of South-West Coast. The Bracks and Brumby governments have introduced a range of new taxes, but they have not been prepared to spend their income and they have not been prepared to spend it on support for the people who live in public housing areas. If the residents are to be looked after, the government needs to plan those areas properly and to provide extra support, not just housing.

We regularly hear in this chamber about the new age of federal cooperation. What has gone wrong? We have had 461 houses cut from the commitment by the federal government to build an extra 5000 houses in Victoria. Where is our minister? The Minister for Housing should be outraged, as should the whole of the government, that the federal government has cut the number of public housing opportunities in Victoria by 461 when we have a waiting list approaching 39 000. What is our minister doing? He has been silent; he has gone missing. We need him to stand up for Victoria and say, 'We are not going to accept the cut of 461 houses. It has to be maintained'. It is an insult to the people of Victoria to have housing opportunities in Victoria cut by 461.

I will now refer to some of the statements made by the member for Derrimut earlier in the debate. The member asked, 'Where is the opposition's plan?'

Mr Languiller — Where is it?

Mr WELLER — I say to the member for Derrimut that the government has been in power for 10 years. The government made a commitment on 24 September

2006 that it would have a strategy; it has not had a strategy. The government has had the privilege of being in government, and it has not been able to deliver a strategy in 1087 days. It still has not delivered a strategy.

The member for Mill Park talked about indigenous housing and what a great job the government is doing. I suggest she come to Echuca. I regularly have indigenous people come in with legitimate complaints that they cannot access adequate housing.

Mr EREN (Lara) — I rise to speak in support of the matter of public importance that is before the house. I put on record that this house congratulates the Brumby Labor government for its continued investment in social housing which creates jobs and homes for Victorian families and condemns the Liberal and National parties for their continued opposition to social housing in Victoria. I congratulate the member for Derrimut on bringing this matter to the attention of the house and indeed the wider community.

Obviously I congratulate the Brumby government, particularly the Minister for Housing, in relation to all it has done for public housing. This is an important issue, particularly for me. I am not sure if I have put this on public record before, but I spent many of my young years in the high-rise commission flats of North Melbourne, where I lived from about 1972 to 1980. About eight years of my life were spent living in those high-rise commission flats, and I know how important affordable — —

Mr Languiller — Good soccer teams there!

Mr EREN — Absolutely. I remember a Chilean soccer team. We had a ground out the back where we used to regularly watch that soccer team play.

Public housing, social housing, affordable housing is important to the wider community, and I speak from the perspective of having lived in it. That is why I am so proud to be a member of a government that truly believes every Victorian has a right to housing that is safe, affordable and secure.

I will briefly describe my electorate, the seat of Lara.

An honourable member — Do you know where it is?

Mr EREN — I certainly do. The member for Polwarth has just walked into this debate — and now he is walking out. That is how much he cares about public housing in his electorate. Why does he not come back and listen to the debate?

My electorate of Lara is a diverse electorate. Obviously it has outer suburban areas such as Wyndham, but it also has rural and regional areas. A particular part of my electorate, the Corio-Norlane district, which has the postcode 3214, has a population of about 24 000 to 27 000 people, and it rates very high on the social index in terms of disadvantage.

Dr Napthine — Do something about it!

Mr EREN — I am not sure, and I know it is very disorderly to respond to interjections, but the member for South-West Coast is blabbering on about something.

I had to look up who the shadow Minister for Housing was, because except for the odd occasion when she whinges about some public housing issue, during which she looks absolutely ridiculous, every time she puts out a press release it is nothing about policy. I do not think she has ever visited that area in her life. During the time of the Kennett government I do not think any senior Liberal member or minister visited that area at all.

Dr Napthine interjected.

The ACTING SPEAKER (Ms Munt) — Order! The member for South-West Coast!

Mr EREN — Ten different ministers have come through for the whole region. The Treasurer has visited Corio-Norlane. The Prime Minister held a community cabinet at Corio Bay Senior College. It was fantastic. The area ranks high on the list of disadvantaged areas, and some really good work has been happening in the electorate. Thank God for this government, because we would be in dire straits if ever those on the opposition bench got into government again. They would never consider the public housing issues of the 26 000 people who live in that area.

In 2007 I was fortunate to be part of an announcement made in my electorate by then Deputy Premier, John Thwaites, with the Minister for Housing, which involved an investment in public housing of some \$500 million. Out of that \$500 million, \$40 million had been allocated to the Corio-Norlane region, which is part of my electorate, of which I am very proud.

The member for Polwarth has entered the chamber again — and he is leaving the chamber. The member for Polwarth also has pockets of disadvantage in his electorate, and Colac is one of those areas.

This government, unlike the previous government, cares about public housing and affordable housing. The investments we have made not only in Geelong but in

the wider state have resulted in population growth. People are now coming back to Victoria, because it is a great place to live, work and raise a family. There is no question that the population is growing because of our policies and investments.

I point out that Geelong and the Wyndham Vale area in my electorate have the fastest growing population in not only Victoria but the whole nation. Something like 63 000 people live in my electorate, and the number is growing. We are very proud of that, and as a government we are doing what it takes to make sure that this state more than any other state is the best place to live, work and raise a family.

Our population is growing. Another area about which there have been several announcements is Armstrong Creek. Over the next 5 to 10 years it is estimated that some 50 000 to 60 000 residents will live in that area. That will relieve a fair bit of the pressure for affordable housing.

Coming back to what the government has done, it is refreshing to see a federal government that also cares about public housing. We can now work with the federal government as a tag team to sort out some of the problems that were left behind by the former Howard government and the former Kennett government. Massive investments in public housing, social housing and affordable housing are being made not only in Geelong but also the wider Victorian area. That is because we do genuinely work together. As I have outlined, the stimulus package proposed by the federal government will go a long way in tackling some of those issues.

We on this side of the house are proud of our track record in what we are doing, particularly in my electorate. I have said it, and I will say it again, that \$40 million is nothing to sneeze at. That is 200 brand-new homes that will be built — we are on stage 2 at this point in time — and some 100 existing homes will be refurbished. We are happy about that. We are also proud of neighbourhood renewal, and I congratulate the current minister on all that he does in relation to that.

I am running out of time. We know what we are doing for public housing, but I tell you that the opposition is atrocious. The only time its members mention public housing is when they whinge about what we are doing. They do not have a single policy detailing what they will do. All they can do is whinge about it. There have been some 60 media releases about housing from the Leader of the Opposition's team. I do not know how long he will last. I am sure a few people are in the

wings waiting for him to fall over. I am not sure when that will happen, but I understand there are a couple of people. Matthew Guy, a member for Northern Metropolitan Region in the other place, is very keen, and the member for Polwarth — —

The ACTING SPEAKER (Ms Munt) — Order! The member's time has expired.

Dr NAPHTHINE (South-West Coast) — When I read the matter of public importance today I was reminded that self-congratulation or self-praise is no recommendation whatsoever. Governments should be judged on their actions, or in the case of the Brumby and Bracks Labor governments, on their inaction and failures, with regard to the provision of much-needed social housing in the Barwon-south western region. This government has been in office for 10 long years but currently 38 980 families are waiting for public housing in Victoria. That is an indictment of this government's failure to deliver on social or public housing.

One can look at the Office of Housing stock for south-western Victoria and compare the number of units available in 1998–99 — the last full year of the Kennett Liberal-Nationals government — with the latest available data for 2007–08. Let us look at it on a shire-by-shire basis. In the Colac-Otway shire the number of units has gone down from 320 to 310 — 10 less units after 10 years of Labor. In Corangamite the number has gone from 206 down to 172 — 34 less units; and in the Moyne shire it has gone from 93 back to 78 — 15 less units. It was in the Moyne shire in Port Fairy that this government was trying to throw out of their public houses people who had lived there for 20, 30 and 40 years. This government and this minister were trying to throw people out of their house and home. In Southern Grampians shire the number of units has gone down from 283 to 263 — 20 less units; on the Surf Coast it has gone from 103 back to 82 — 21 less units; in the Glenelg shire in my electorate it has gone from 422 back to 370 — 52 less units of public housing — social housing — in 10 years of the Labor government. There are less units, not more units. Sixty-four families are waiting for public housing in Portland — an increase of 16.4 per cent from the December quarter 2008 to the March quarter 2009. There is an increase in demand, yet despite that this government is selling off and getting rid of public housing stock where it is needed in Portland.

The figures show that in the city of Greater Geelong — and we have just heard the member for Lara speak — in 10 years under Labor the number of units has gone

from 3585 down to 3475 — 110 less units under the Labor government. That is Labor's record — and it is not a record anybody should be proud of. The government can talk about how much money it will spend, but the facts are that it has less public housing units. The waiting list in Geelong has 2277 families waiting for public housing. That can be compared to the figure of 946 in 1999, when this government came to office. The figure has increased by 240 per cent under the incompetent and uncaring Labor government. I am talking about facts and not just the words, the rhetoric, we have heard today from Labor. The facts are that in Geelong there are 110 less public housing units and there is a 240 per cent increase in demand. They are the figures for Labor's delivery in Geelong. That is an abysmal result for Labor. Labor is more about spin than substance when it comes to social housing. The city of Warrnambool is the only municipality in the whole of Barwon-south western region in which there has been an increase in public housing units — from 775 to 819, an increase of 44. That is an increase of 5.6 per cent compared with a population increase of 16 per cent over the same 10 years, so in real terms we have gone backwards.

In the local papers there are clear comments that we have a significant demand for public and rental housing. An article in the Warrnambool *Standard of Saturday*, 12 September, 2009 says:

Rental vacancies in the Warrnambool district are at an all-time low.

...

Mr Blundell said rents had ... risen by \$30 to \$40 a week in the last few months in line with demand.

We have a massive increase in demand, but we have a public housing waiting list of 553 families — up 7 per cent from December 2008. We cannot get an increase in stock to match the increase in population. Across the whole of Barwon-south western region — and the member for Lara ought to hang his head in shame when he talks about social and public housing — 218 units of public housing stock have been removed when there has been an increase in demand and in waiting lists. Why is this? I refer to *Public Sector Asset Investment Program 2008–09 — Budget Information Paper 1*, which was released in 2008, at pages 132 and 133. When one looks at the figures for the Barwon-south western region one sees that the money allocated for existing projects — for Geelong right through to the border — is \$6.4 million, or 3.9 per cent of the total money allocated, and that for new projects it is \$5.2 million, or 5.1 per cent of the total allocated. Guess what? The Barwon-south western region has

7.4 per cent of the population. That region — including Geelong, the area represented by the member for Lara — is being duded. It is being robbed of its fair share of funding for public and social housing. I am happy to have more public and social housing in my area, because we need it — our community needs it. But we have a city-centric government that will not fund public and social housing in Geelong and in the Barwon-south western region. The government is ripping units out of that area rather than increasing them.

Earlier the member for Derrimut talked about the national rental affordability scheme. That scheme has been robbed of billions of dollars to pay for Deputy Prime Minister Julia Gillard's incompetent management, or mismanagement, of the school rebuilding scheme. With respect to the national rental affordability scheme — earlier I explained the need for social, public and low-cost affordable housing in Warrnambool — we had some developers, some entrepreneurs, who were interested in the national rental affordability scheme. They went along to seminars supported by the local council and were encouraged by the department to put together a project. They spent half a million dollars developing a project to apply for round 3 funding to build 20 or more units in Warrnambool for public and social housing. Guess what? The federal government has changed the rules and pulled the rug from under them. Private developers were encouraged to participate in the first two rounds. The guidelines published in December 2008 say:

Developers can participate in the scheme by retaining ownership, whether on their own, or in partnership with other participating entities, of dwellings which they develop and provide under the scheme ...

Developers can be involved by making land available on which to build dwellings under the scheme ...

That is what the guidelines said in December 2008. But guess what? When round 3 came out these people — these hardworking entrepreneurs who want to put something back into their local community and want to build good quality affordable housing — were told that under round 3 there had been a change. The private developers can only be accepted if, and I quote from the round 3 requirements:

Applications which seek to have the private sector develop state-owned land that has been released for residential development — the NRAS component can be all or part of the development.

They are restricted to using only state-owned land that has been freed up. These young entrepreneurs have been duded, Warrnambool has been duded, the

national rental affordability scheme has been changed and the goalposts have been moved at the last minute because of cost cutting by the federal Labor government. Cost cutting like this disadvantages those people who have worked hard to develop programs and disadvantages the Warrnambool community and other communities across the country where there is the need for affordable housing and there is not state-owned land to develop. What we have is a complete mismanagement of that program.

Let us talk about some other housing programs. I have got a 40-year-old man who suffers from very severe, life-threatening asthma. He has spent long periods in hospital, he is on a Centrelink pension, he cannot afford private rental accommodation, and when I ask the housing minister if we can get some public housing for him, we are told the man has been approved for a one-bedroom house but, and I quote:

It is therefore unlikely Mr Kermond will be offered housing in the foreseeable future.

A desperate person, his life at risk because of his asthma, cannot afford private rental, and he cannot even get a look in.

Mr Eren interjected.

Dr NAPHTHINE — And finally let us talk about the lack of maintenance for public housing. Let us talk about the units in Kerr Street or Aitkins Road where I have raised on behalf of the residents the lack of adequate maintenance and the government has not responded. Lack of investment! Lack of maintenance —

The ACTING SPEAKER (Mrs Fyffe) — Order! The member's time has expired. I ask the member for Lara to cease interjecting in that manner.

Mr NOONAN (Williamstown) — I rise to support and agree with the matter of public importance before the house, and I certainly thank the member for Derrimut for suggesting it. There are a number of policy areas which really demonstrate the differences in the values that we on the Labor side of Parliament hold dear as compared with those held by the Liberals and The Nationals. The provision of social housing and improving the affordability of housing is one of those key areas of difference.

Let me go straight to an example of this. In August last year the Liberal Party's only elected representative in the western suburbs of Melbourne, a member for Western Metropolitan Region in another place, Bernie Finn, suggested the Minister for Housing should sell the

two public housing towers in Williamstown and use the proceeds of the sale to relocate the residents out in the community. I think he said — and this may interest the Minister for Public Transport who is at the table — somewhere like Altona. In fact he used the adjournment debate in the Council on 21 August 2008 to put his case. I will not read it all, but the following is an extract from his contribution:

I ask the minister to begin the process of selling the housing ministry towers in Williamstown, which will provide a new and exciting life for the current residents of the towers. We will see once and for all an end to the stigma associated with what used to be called the housing commission high-rise. This will also provide a great boost for the local Williamstown economy and provide, as I say, a wonderful new life for the residents of the housing ministry towers in Williamstown.

What an extraordinarily out of touch and arrogant view this is. Mr Finn has never visited either of the high-rise properties in Williamstown — proving that he is lazy as well. If he had bothered to visit, he would have discovered that the residents of the Hanmer Street property referred to as Floyd Lodge are people aged over 55. When confronted by the news of Mr Finn's proposal to sell the towers to private developers, the local residents were understandably confused and distressed.

It did not take long before this outrageous story hit the local papers. The local *Star* newspaper on 2 September 2008 ran the headline 'Lodge tenants fear eviction'. The *Hobsons Bay Leader* ran a similar headline on 9 September 2008 — 'Williamstown high-rise tenants flooded by development plan'. Just returning to the piece from the *Star* for a moment, I want to quote one of the residents of the Hanmer Street property, Terry Delacoeur, because I think he really captured the raw emotion felt by those residents who opposed Mr Finn's flippant suggestion. Mr Delacoeur said, and I quote:

'It's a community for us here, we don't want to be moved and spread all over the place'.

...

'We have stability here, which is important to us at this time in our lives'...

...

'No-one is isolated, and there is help here when we need it.

'Moving us would be disastrous.

'Some people have been here for about 20 years, it is their home'.

Such was the distress caused by Mr Finn's arrogant position that I was contacted by one of the residents and

asked to seek some assurances that Labor would not evict these residents. I visited the Hanmer Street property and spoke with the concerned residents. I gave them a commitment that I would write to the Minister for Housing, which I did on 3 September 2008. I also took the opportunity to raise the issue in the adjournment debate on 11 September 2008. To the minister's credit, I did not have to wait long for a response. In fact I received a letter from the Minister for Housing on 19 September 2008. It is quite a lengthy letter, but I think it is important to this debate. It states:

Re: The future of public housing in Williamstown

Thank you for recent letter regarding the future of the public housing towers situated in Hanmer Street, Williamstown. I share your alarm at the recent comments by Mr Bernie Finn, MLC, suggesting that the Victorian government should 'begin the process to sell the housing ministry towers in Williamstown'.

Your advice that Mr Finn's comments have led to distress and alarm amongst the tenants living at Hanmer Street is very concerning. Let me take this opportunity to reassure you that the Brumby government shares your absolute opposition to Mr Finn's call for these properties to be sold off and redeveloped.

Under Labor, the public housing towers at Hanmer Street and Nelson Place will never be sold off. We are not in the business of moving public housing tenants out of what some might see as a golden opportunity for private developers to make a killing selling bayside apartments.

Rather, it is the policy of the Brumby government to continually work with communities to improve our public housing. As I'm sure you are aware, since 1999 we have invested significant resources in our public housing properties in Williamstown, including nearly \$13 million on Nelson Place, and \$6.7 million on Hanmer Street. This has paid for improvements such as:

flat upgrades at both towers;

a full upgrade to the foyer at Hanmer Street, and improvements to the foyer at Nelson Place; and

lift upgrades and security upgrades at both towers.

I trust this information will be reassuring to tenants living at Hanmer Street and Nelson Place ...

I can assure the minister it was reassuring. They needed that reassurance. It removed the confusion that was felt by almost all the residents. Added to that letter, the minister also offered to come down to Williamstown personally and address the residents about this matter. On one hand we have a Liberal member talking about selling off the high-rises to developers, and on the other hand we have the minister telling concerned residents that they will not be moved on. What a stark contrast the minister was able to offer the 230 families at Nelson Place and Floyd Lodge with regard to their public housing towers.

I think George Dixon of the Hobsons Bay Public Tenants Association described it best when he labelled the Liberal Party's proposal as 'totally wrong'. I note for the record that neither Mr Finn nor the Liberal Party has withdrawn their position in relation to this matter. One must presume that selling public housing towers to property investors is opposition policy.

Contrast this with the Labor government, which believes every Victorian has a right to housing that is safe, affordable and secure. We have heard on a number of occasions during the course of this debate about the Labor government's record investment in public and social housing. It is a record that includes a capital commitment of \$500 million to be invested over four years to improve and grow social housing across Victoria. This commitment will deliver 2350 new and redeveloped social housing properties right across the state. It is a commitment that will also directly deliver 2000 jobs in the construction industry and more indirect jobs through the supply chain.

In addition we are also seeing a massive investment in social housing by the Rudd federal Labor government through the Nation Building Economic Stimulus Plan. This investment in social housing is the biggest ever one-off commitment to social housing in our country's history. Victoria will gain significantly by working shoulder to shoulder with the commonwealth on this issue. Through a partnership arrangement Victoria will receive \$1.1 billion, which will deliver more than 4500 new units of social housing, upgrades to 1600 existing homes and additional repairs and improvements to benefit another 4000 units. This commitment also creates 3900 direct jobs in the construction industry. These jobs are critical in this time of economic change.

I just want to return to the issue of the upgrades to the state's social housing stock, which I think is an important issue. In the past couple of years the state government has undertaken major upgrades of more than 5500 units of public housing. I have been fortunate enough to view firsthand some of this work which has been done at Floyd Lodge in Williamstown. In fact the residents gave me a tour and proudly explained how their studio apartments had been upgraded to larger, one-bedroom units. They also showed me their new kitchens and bathroom facilities that were all part of the upgrade. I was also shown the upgrade of laundry facilities, the repainted and newly tiled hallways and the bright new entrance foyer. During my visit it became abundantly clear that the residents were extremely pleased with the work that had been done.

I am very happy to support the member for Derrimut, and I congratulate the Brumby Labor government on its

continued investment in social housing. It reminds me why I sit on this side of the Parliament with a party that has a genuine commitment to providing services to our community's most vulnerable. There is no doubt that Victorian Labor leads the country in social housing. The best the opposition could offer at the last election in 2006 was a paltry commitment of \$5 million in capital funding over four years for new social housing. As other members on this side of the house have indicated, that sort of commitment would deliver about 16 houses, or perhaps fewer depending on where they were constructed. The opposition has absolutely no credibility on this issue, but I do not think that would surprise anyone on this side of the house.

The ACTING SPEAKER (Mrs Fyffe) — Order! The time for debating the matter of public importance has expired.

STATEMENTS ON REPORTS

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

Ms DUNCAN (Macedon) — I rise to speak in support of the Environment and Natural Resources Committee inquiry into Melbourne's future water supply. I just wanted to talk a bit about our recommendations and our findings in regard to desalination plants. As a member of the government it would be expected that I would say this, but all of our investigations vindicate the government's policy of building a large desalination plant at Wonthaggi, out of any bay areas — hence the need to have it out in the open ocean. We made recommendations around that, and all of the evidence we heard supports the building of large desalination plants. We saw a number of plants in other jurisdictions that would support that recommendation.

I would like to talk briefly about the minority report that accompanied the report of the inquiry. I would not suggest for one moment that there should not be minority reports in committee reports. I would certainly support any member of a committee who did not support the general thrust of a report and respect their right to deliver a minority report. However, I would have thought that that minority report should be consistent with the evidence that was presented to the committee. I am deeply concerned that this minority report should make the finding:

That this minority report expresses concern at the model the Brumby government is using to build one very large desalination plant at Wonthaggi. Experience internationally

demonstrates smaller (50–100 gigalitre) more localised desalination plants are more cost efficient, less damaging to the environment, have a smaller demand for energy and leave a reduced carbon footprint.

The problem with the finding in the minority report is that it is contradicted at every point and in all of the evidence that we saw and heard in the preparation of this report. For example, page 253 of the report says:

The increasing size of desalination plants is the other major factor that has contributed to the significant decline in the cost of the technology. The committee was informed that the size of the high-pressure pumps used in the reverse osmosis process is a crucial factor in the degree of energy recovery possible for a given plant. In general, larger pumps are more energy efficient, both mechanically and hydraulically, and therefore require a comparatively smaller motor. Accordingly, the larger pumps used on larger desalination plants achieve comparatively greater energy efficiencies than those used on smaller desalination plants.

The committee also notes that it would require more than 830 small-scale desalination plants — that is, plants with a capacity in the range of 110 to 180 megalitres per year — to deliver a similar volume of water to the planned 150-gigalitre Wonthaggi plant.

In other words, we would have to build 830 small-scale desalination plants, presumably somewhere around Melbourne, to produce the volume that will be produced through the Wonthaggi plant.

The report also says at page 256:

A small plant with a small number of pumps and racks will therefore experience a greater relative decline in production in the event of a problem and have lesser operational and maintenance flexibility than a large plant. A plant which has a number of pumps and racks can also more readily alter the flow in a given pump. By contrast, it is not possible to run a plant with a single pump at a lower production rate, of say 65 per cent, should this be required or desired.

At page 257 the report goes on to say:

On the other hand, the construction of a number of smaller scale desalination plants in Melbourne powered by conventional energy sources would probably also require the construction of several high-voltage powerlines to connect the plants to the grid, with the attendant issues of cost and possible public opposition on the grounds of loss of amenity and other concerns.

That is my concern with the minority report tabled with this inquiry into Melbourne's future water supply report. It absolutely contradicts all the evidence that we heard and all of the examples that we saw in our inquiry. Presumably one could also argue that the policy of the Liberal and The Nationals coalition in opposition would be not to have a large desalination plant in Wonthaggi but to rather have something in the vicinity of 830 small desalination plants. They would

all have to be on the coastline because the report also recommends a moratorium on the extraction of groundwater, so presumably we would have 830 small desalination plants peppered around Melbourne — —

The ACTING SPEAKER (Mrs Fyffe) — Order! The member's time has expired.

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

Mr WELLS (Scoresby) — I rise to join the debate on the Public Accounts and Estimates Committee report of the 2009–10 budget estimates, part 1, volume 2. I want to refer particularly to the comments made by the Minister for Planning, Justin Madden, in another place, and in particular the comments on Brimbank council. We know that Brimbank council has now been sacked, but the smell continues around the Labor Party involvement and the undue influence that Labor members and Labor hacks have had over the Brimbank council. There have been the dodgy deals, the standover tactics and the huge effort by the Labor Party to cover up this saga.

Labor members came into this place promising open and transparent government. We have seen the complete and utter opposite to this. We are now looking for more answers and some more details about what went on in Brimbank and the involvement of the Labor Party machinery, which tried so desperately to shut things down to protect its Labor mates.

We want to know what the role of the Minister for Planning has been and why, with all these investigations that are going on, his role has not been investigated. Why has the role of the Minister for Planning not been investigated? We had the report of the investigation by Bill Scales released yesterday, but it does not go far enough. It does not get to the rotten part of the apple; it does not get to the core of the problem. His role needs to be investigated, and he needs to explain what he knew, when he knew it and what did he organise through his very good mate Hakki Suleyman.

On the evidence that was presented to the Public Accounts and Estimates Committee during the public hearing, there is no doubt that he should have been sacked for sheer incompetence, and that goes without any shadow of a doubt. He should have been sacked because of his incompetence. But we also need to ask about the activities of the minister and what he was involved in, directly or indirectly, and what he was aware of. Labor is very good at the spin and rhetoric and calling for investigations and appearing to be caring

about the general community out there at Brimbank, but the actual substance is something quite different.

In this report members of the opposition parties looked at a number of points, and of course they could not get any answer out of the minister. The first one was: when did he first become aware of Hakki Suleyman's involvement in the standover of and undue influence on the council? Here is a person who has worked for the minister for I think around 10 years, but when we asked him the question the minister replied:

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

So he did not know a thing that was going on in his office and of Hakki Suleyman being involved in Brimbank until he read the Ombudsman's report. But the worst bit about it is that he actually expects people to believe that. Of course we do not.

The second part that needed investigating was Hakki Suleyman's inappropriate influence of the Brimbank council over the Keilor Park Reserve. The reason that Hakki Suleyman was involved in this was to try to sort out an ALP preselection dispute. Instead of sitting down and trying to work out who the best candidate was and awarding it on merit, they were going to do a deal on Keilor Park Reserve. It was a grubby, dodgy deal. What a grubby deal to try and work out a preselection based on a planning position with the Keilor Park Reserve. What a disgrace!

Then you have the property issue at 76 to 78 Biggs Street, St Albans, which was being given free of charge to the Maribyrnong Turkish branch of the ALP so it could have its party meetings and get new members to come in and be part of this deal. It was another grubby deal. Then there was the Cairnlea Park deal to do with the soccer club. It was another grubby, dirty deal. Then we had the Sunshine pool planning issue. It was another grubby, dirty deal, and yet we do not know the role of the minister. If Labor is fair dinkum, it would have him sacked on the spot.

**Drugs and Crime Prevention Committee:
strategies to prevent high-volume offending and
recidivism by young people**

Ms BEATTIE (Yuroke) — I would like to make a few remarks on the Drugs and Crime Prevention Committee inquiry into strategies to prevent high-volume offending by young people. It is an excellent committee. I must agree with the member for Lowan and the member for Mornington, it is an excellent committee, and I thank those two gentlemen

for their work on that committee. But unlike the member for Scoresby who just stood up and ranted for a few minutes, I would like to address some policy issues. I would like to talk about the 41 recommendations which were put forward by the committee, but I would particularly like to talk about recommendation 40 and some of the evidence that was introduced to the committee.

Before I do that, I must thank other members of the committee, chaired by the member for Essendon. I have already mentioned the deputy chair, the member for Mornington; Andrea Coote from the other place; the member for Lowan; Mr Shaun Leane from the other place; and Ms Jenny Mikakos from the other place. I would also like to thank the executive officer, Ms Sandy Cook, Mr Peter Johnston, Dr Cheryl Hercus, and particularly offer thanks to the consultant who worked on the inquiry, Mr Jason Payne.

As I said before, I would like to talk particularly about recommendation 40, which states:

The committee recommends a thorough cost-benefit analysis be undertaken with regard to any program intended to specifically address youth offending and associated child welfare issues.

It goes on to say:

It is imperative that such an analysis should consider the long-term benefits of social, preventive, developmental and diversionary programs compared to the costs of incarceration and processing through the criminal justice system.

I think that is a really good recommendation because we could keep beating the law-and-order drum, but what we want to do is keep people out of the criminal justice system. Time and time again it was presented to the committee by many witnesses that the key to keeping people out of criminal activities and eventually the criminal justice system is early intervention, and although some people may balk at the cost of that early intervention, in the long run over the course of time early intervention is indeed a cost saving.

A person being incarcerated is of no value to society. There is just incarceration. There is very little rehabilitation. Of course rehabilitation does happen, but once you are in the criminal justice system it is awfully hard to break free from that and make a productive life for yourself. Early intervention is critical. In the long run it would save the state and the nation a great deal of money, and we would have fully productive human beings.

I want to talk a little bit about some evidence that was given by Ms Evans in New Zealand. One of the things

the committee was a little bit disturbed about was that there does not seem to be any immediate response when students are absent from the school system. The committee thought that should be looked into. In her evidence Ms Evans suggested that suspension from school should automatically trigger an assessment of the young person to look at all the protective and risk factors going on in their lives with a view to their being fully integrated back into the school system. This is an excellent suggestion, and the committee noted that the student engagement policy guidelines need to address this.

Education and Training Committee: geographical differences in the rate in which Victorian students participate in higher education

Mr CRISP (Mildura) — The chair's foreword to the report states:

The committee also found that the causes of geographic differences in higher education participation rates go beyond the obvious barriers of distance and costs. They also stem from differences in the ambitions and aspirations of students and their families, school completion rates and academic achievement levels. Addressing these differences will require a broad range of interventions, which will give Victorian students both the desire and the tools to achieve in education at the highest level.

I would particularly like to focus on the ambition effect, as those who go on to higher education choose not to take jobs in our local community and economy. This is the ratcheting-up effect: if you do not go to university, you are taking a job away from someone who is never going to go to university. It is that impact and ratcheting-up effect that is most important. That diminishes opportunities, and the net effect is disengagement from education due to a perceived lack of employment opportunities among young people.

Local learning and employment networks (LLENs) have had the task of supporting 15-to-19-year-olds who are at risk of educational disengagement or have disengaged. LLENs do valuable work with education providers to overcome disadvantage. LLENs are funded by a formula which is not readily available to the public. The federal government has recognised disengagement is a major issue and has introduced a program to broaden or enhance the work of LLENs for students aged between 10 and 19 years. The program is called the Schools Business Community Partnership Brokers program. The extra funding for LLENs is around \$5 million; however, the distribution formula used for this money is different from the existing formula. Considerable inequities exist, particularly in

the areas of focus of the Education and Training Committee. I will give examples of this difference between Department of Education and Early Childhood Development funding and the enhanced funding.

Under the state government formula the Northern Mallee LLEN has received 3.21 per cent of the pie but under the state government-aided federal money it will receive only 1.81 per cent of the funding. Under the state government formula the Campaspe Cohuna LLEN has received 3.05 per cent but under the federal funding, which is again state distributed, it will get 1.43 per cent. Another example is the Murray Mallee LLEN, which is my LLEN. It has received 3.12 per cent under the state government formula but under the new distribution it will get 1.24 per cent. It is even worse for North Central LLEN, which has received 3.30 per cent but will get 0.94 per cent under the new distribution. This inequity is a major problem.

Some of the LLENs have also had local community partnership funding. All of the communities have had LCP (local community partnerships) programs, so the changes that will occur on 31 December, when LCP funding ends, will see communities disadvantaged as the federal enhancement funding, which is aided and distributed by the state, will not make up for the loss of LCP funding. Although they are different funding programs they form part of the social fabric for dealing with issues of education and disadvantage in our community.

The next issue I want to raise is funding transparency. If you do the maths on the commonwealth funding, you find it suggests that Victoria should have received \$11 million. New South Wales got some \$14 million from the commonwealth; Queensland got some \$9 million; Western Australia got some \$4 million; South Australia got some \$2 million; Tasmania got some \$1 million; Northern Territory got some \$1 million; and ACT got some \$500 000. Clearly Victoria has distributed \$5 million, leaving \$6 million unaccounted for. What we need to know is what is going on. Has the federal government made a mistake or has the Victorian government made a mistake? Or is somebody being ripped off? There is a difference in those figures.

Victoria should sit second in its entitlement structure with that \$11 million but not the \$5 million that has been distributed. Clearly there is something wrong. The community needs to know what is going on. Disengagement and educational issues are a major problem in the community. Somewhere along the line someone has been ripped off. It is going to be our

LLENs, including our country LLENs, which will be ripped off by this government.

Electoral Matters Committee: voter participation and informal voting

Mr SEITZ (Keilor) — I rise to speak on the inquiry into voter participation and informal voting by the Electoral Matters Committee. I would like to thank the committee for the fantastic job it carried out. The Victorian Electoral Commission, particularly its head, Mr Tully, is running a very good organisation in Victoria for elections conducted in the state. The system of democracy and voting we have is an example for many people across the world. Although now and again there is a debate about whether we should have compulsory voting, it is important that we retain it, as the committee has recommended. The committee's recommendations also include that further education is necessary to make the community aware of the voting system and that the voting systems for federal and state elections are standardised. We need an ongoing program — not just before an election — to make the public aware of how the voting system operates, because that is the biggest problem with regard to informal voting, which is what this inquiry also dealt with.

A high number of informal votes means that those people who want to cast their democratic right to vote and express their view as citizens often become confused because they pick up different methods from overseas, such as the one where you only have to put a mark against the name of the person you want, whether it be a tick or a cross, and you do not have to fill out all the numbers. The above-the-line voting system for the Senate also sometimes confuses people. People start filling out numbers on the bottom as well, instead of just putting a cross next to the name of the person they want. We need an ongoing program of education about the voting system.

We also need education for members of the younger generations. I have been outside polling booths assisting other members on numerous occasions during federal elections and have often seen young people who have been confused and have asked where and how they have to vote. As practitioners in politics we assume that everybody is concentrating when they are watching TV commercials or looking at local newspaper ads a couple of weeks out from an election, but they are not. There is a need for an ongoing program similar to the ones we have for breast cancer. It has taken years for breast cancer to become an issue that people are aware of and for them to see the value of tests. It is the same with the need for men to get

check-ups for prostate cancer; some are reluctant or do not take any notice of the warnings.

For young people, voting is the last thing on their agenda. Instead of concentrating when the ads are on they are probably making a cup of tea or topping up their drinks. I have heard from young people many times when they come in groups of three or four friends, asking what they have to do and how they should fill out the papers because they want someone to get elected. It needs an ongoing campaign and electioneering, not just before election time.

The other point the committee covered was that of simplifying the enrolment process. For the younger generation that could probably be so that they could email their enrolment or use a text message to get their name put on the list, because the forms that are available at the post office are very complicated to fill out and ask for a lot of details. Again, that should be simplified.

Once you are registered as a voter in an electorate, if you move from one place to another, you should not have to substantiate that you have got Australian citizenship, that you have an Australian passport or your birth certificate number and so forth. At present you require all these documents to be able to fill out the form. It is far too cumbersome. It should be made very simple once you are initially registered as a voter on the roll. If you change address, it should be just a matter of a text message or an email to advise of the change of address, not having to fill out the whole form and produce all the details and documentary evidence needed for the initial registration. In some cases people lose their documents or cannot find them.

The ACTING SPEAKER (Mrs Fyffe) — Order! The member's time has expired.

Economic Development and Infrastructure Committee: improving access to Victorian public sector information and data

Mr MORRIS (Mornington) — The Economic Development and Infrastructure Committee recently reported to the Parliament on improving access to Victorian public sector information and data and today I comment on that report.

One of the more important building blocks in our democracy is the institution of debate. We engage in formal debate in this house, and some debates are more formal than others. Municipal councils generally engage in formal debate in reaching many of their decisions. There is ongoing debate everywhere in our

society whether it is in Parliament or in the newspapers, on radio or TV, simply down at the pub or across the dining table. Debate is good. A decent public debate almost always informs and improves the policy outcomes, but what is even better is informed debate — that is, debate where people have access to the facts, where they are not dealing with spin or selected facts calculated to determine a view one way or the other but where they are dealing with all the facts. That is when you get seriously good public policy outcomes and that is when you get the best possible outcomes. The question is, how do you get that information out? That is one of the reasons this report is so important.

There is always a tension between access to information — the need for the public to have access to information, whether it be for the purposes of a particular debate or simply to be better informed about government processes, perhaps to inform a vote itself — and the need to respect individual privacy. I endorse the report quoting section 5 of the Information Privacy Act, which is headed 'Objects of the act'. It states that the objects of the act are:

... to balance the public interest in the free flow of information with the public interest in protecting the privacy of personal information in the public sector ...

It has got to be about balance. The public sector holds a huge amount of private information, some of it particularly sensitive information, so we need to keep that in mind.

Another factor in this whole issue of government information is the current structure of government. It is probably not intended to be opaque but it is effectively that. Historically ministers have been responsible for administering not only whole acts but sometimes parts of acts. We now have a situation where ministers have a variety of roles, a number of portfolios and the portfolios do not necessarily reflect the government departmental structure. It is hard enough for members in this house to follow that process, let alone someone outside.

The report proposes the development of an information management framework with the default position that all public sector information should be available unless there is essentially a good reason it should not be, and with those privacy considerations taken into account. It goes on to suggest a whole-of-government approach. The only problem is it then goes on to say that the whole of government should be fairly narrowly defined and should effectively be restricted to government departments and exclude a whole lot of other bodies.

The suggestion is that other agencies — and it identifies the Parliament, the judiciary, statutory authorities, hospitals et cetera — should develop similar information management frameworks, but they would not be the same. That approach may suit the bureaucratic needs — and I am not saying that in a pejorative way at all — but it does not suit the needs of the citizens of Victoria, and it does not suit the needs of the clients of the organisations. If we are going to have a scheme that is going to work and is going to truly assist debate and assist the public policy process, then it needs to be public sector wide, it needs to take a consistent approach and it needs to be the same system so that people can understand it whether they are dealing with Frankston Hospital or the Department of Premier and Cabinet. This is an important report, it is an important subject, and hopefully something useful can come out of it.

The ACTING SPEAKER (Mrs Fyffe) — Order! The time for making statements has expired.

PLANNING LEGISLATION AMENDMENT BILL (No. 2)

Second reading

Debate resumed from 15 September; motion of Mr BATCHELOR (Minister for Community Development).

Mr CLARK (Box Hill) — The Planning Legislation Amendment Bill (No. 2) gives effect to the government's policy to introduce development assessment committees (DACs) for what the government refers to as 'significant planning permit applications', subject to various safeguards and improvements that the coalition parties have been able to secure in negotiations with the government.

I described in some detail the various provisions relating to the DACs in my remarks on 5 May on the first Planning Legislation Amendment Bill, and I will not repeat my description of the unchanged provisions. The bill also amends the Docklands Act 1991, the Heritage Act 1995 and the Melbourne Convention and Exhibition Trust Act 1996 in identical terms to those contained in the previous bill. Again I do not propose to repeat what I said on the previous bill in relation to those provisions.

The differences between this bill and the previous bill are all strictly in accordance with the schedule of amendments recommended in the dispute resolution of the Dispute Resolution Committee (DRC), which was

tabled in this house and which we discussed yesterday. I say 'strictly in accordance with the schedule' recommended in that dispute resolution because the schedule was faithfully followed, even where it is now recognised that the dispute resolution is in error. In particular the dispute resolution erroneously refers to the Victorian Local Government Association where the reference should have been to the Victorian Local Governance Association. The government deliberately included the wrong name in the bill. Similarly, the dispute resolution failed to recommend the removal from the purposes clause of the bill of clause 1(a)(ii), which is to:

... enable growth areas to be declared anywhere in Victoria —

even though the operative provision to which that purpose relates has been dropped. The bill again follows the dispute resolution by failing to omit this redundant reference.

This has been done because the government thinks the constitution requires strict compliance with the schedule of amendments contained in the dispute resolution. This is yet another demonstration of the absurdities and uncertainties being created by the undemocratic, rushed and bungled amendments to the constitution which the Labor Party imposed on the citizens of Victoria without referendum in 2003. To make matters worse, Labor so entrenched these appalling provisions into the constitution that they can now be amended only by referendum.

In relation to this particular dispute resolution, I do not think strict compliance with the schedule of amendments recommended by the dispute resolution is in fact necessary, because those amendments do not relate to the purportedly disputed bill that was referred to the Dispute Resolution Committee — namely, the first Planning Legislation Amendment Bill. However, strict compliance will be required where amendments recommended by the DRC do relate to a disputed bill, with the absurd consequences we are seeing here.

The Minister for Energy and Resources suggested in his remarks yesterday that a solution may be for the dispute resolution to empower the clerks to make typographical and numerical corrections before the dispute resolution is presented to the house. However, it seems to me that to expect the clerks to make changes such as omitting purposes clauses creates issues of the so-called Henry VIII clause type and is an improper and possibly unconstitutional delegation of statutory power, as well as being unfair to the clerks. That is all assuming that any such delegation of power to amend a dispute

resolution is permissible for the Dispute Resolution Committee at all.

This all goes to show how impractical and unworkable the Dispute Resolution Committee regime is. A far better approach would be for the government to give up on the undemocratic, tortuous and uncertain processes of the Dispute Resolution Committee and to engage in direct, informal dialogue with other parties where there are issues that cannot be resolved on the floor of a chamber.

In relation to the bill before us, as I said yesterday, the coalition has been able to secure a number of significant safeguards and improvements for local communities. The first of these is the limiting of the possible application of DACs to just 26 principal activity centres and central activities districts, plus the Geelong central activities area. In contrast, under the previous bill any areas in any municipality anywhere in Victoria could have been made subject to a DAC, down to the smallest neighbourhood shopping centres. Multiple areas within the same suburb could have been made subject to a DAC. As well, areas such as the routes of tramlines or around railway stations, which have been identified for intensive development in some government policy documents, could have been made subject to a DAC. None of this is possible under the bill with the changes that have been negotiated by the coalition parties.

The bill achieves the result I have referred to in a somewhat circuitous manner because the government received legal advice that said it could not directly name the 26 principal activity centres and central activities districts or the Geelong central activities area in the bill because those areas have not yet been formally defined, even though they have been listed in government policy announcements and people know where they are intended to be based, and their precise boundaries are being finalised. The bill therefore adopts the solution of allowing the government to create a DAC or DACs only within what the bill defines as a relevant activity centre zone.

A relevant activity centre zone is defined as a contiguous area designated as a relevant activity centre zone in a planning scheme. The bill expressly prevents the government from establishing more than one relevant activity centre zone in any suburb other than Preston, where two relevant activity centre zones may be established in order to allow for the separate High Street and Northland principal activity centres. Thus if the government were to seek to establish a DAC in a suburb for any area other than one of the 27 intended

areas, it would be precluded from establishing a DAC for the intended area in the relevant suburb. For practical purposes that seems to ensure the result that is being sought.

A key issue in relation to DACs is the geographical boundaries of the areas in which they will have jurisdiction. As I have mentioned, they can only operate within a relevant activity centre zone as defined in the bill. The order establishing a DAC can establish it for less than the whole area of a relevant activity centre zone, but it cannot establish a DAC in relation to an area outside a relevant activity centre zone. The coalition parties have secured a further important safeguard — namely, that the boundaries of a relevant activity centre zone must be determined through a full planning scheme amendment process, with all the safeguards and requirements of due process that apply to planning scheme amendments. Further, clause 3 of the bill will explicitly prevent the minister from bypassing any of those requirements.

Another key issue in relation to DACs is the classes of applications for permits within their area of geographical coverage for which they will have responsibility. Again, the coalition parties have secured an improvement in that the minister is required to seek the advice of an advisory committee on this question. The advisory committee in formulating its advice is required to consult with the relevant municipal council and other affected parties. That is set out in proposed new section 97MCA.

I point out that the second-reading speech contains a slight error in that respect in that it refers to a provision that requires the Minister for Planning to refer criteria that are to be decided on by a development assessment committee to an advisory committee. That, for the reasons I have given, is not an accurate or clear description of what is happening.

The coalition parties have secured a number of changes in relation to the constitution and operation of the DACs themselves. One of those will require the government to consult with relevant local government associations — namely, the Municipal Association of Victoria and the Victorian Local Governance Association — when choosing the chairpersons for the DACs. Furthermore, the requirement contained in the previous bill for councils to bear the direct costs of the operation of a DAC has been removed.

Sitting suspended 1.00 p.m. until 2.04 p.m.

Business interrupted pursuant to standing orders.

ABSENCE OF MINISTER

The SPEAKER — Order! I advise the house that the Minister for Gaming, who is also the Minister for Consumer Affairs and the Minister Assisting the Premier on Veterans' Affairs, will be absent from question time today. The Minister for Police and Emergency Services, who is also the Minister for Corrections, will answer questions on his behalf.

QUESTIONS WITHOUT NOTICE

City of Brimbank: suspension

Mr BAILLIEU (Leader of the Opposition) — My question is to the Minister for Local Government. I refer to the minister's media release of yesterday, which stated that Mr Scales recommended the sacking of Brimbank council because of 'an attempt at undue influence of councillors by an outside organisation', and I ask: will the minister confirm to the house that the outside organisation unduly influencing the Brimbank council was his party, the party of the Brumby government, the Australian Labor Party?

Mr WYNNE (Minister for Local Government) — I thank the Leader of the Opposition for his question. I remind the house that the report issued by Mr Scales yesterday was as a result of advice to us from the Ombudsman. In his report on the Brimbank council the Ombudsman did not recommend that the council be sacked or dismissed; in fact the Ombudsman's report recommended to the government that a monitor be appointed to monitor the council for a period of time to ensure that the conduct identified by the Ombudsman in his report did not continue.

The independent monitor, Mr Scales, reported to me, and subsequently I had to seriously consider this matter because this side of the house respects local government. However, in the circumstances of the report which has been provided to me, which was tabled in the Parliament yesterday — —

Honourable members interjecting.

The SPEAKER — Order! The members for Malvern, Kilsyth, Warrandyte and Polwarth will cease interjecting in that manner.

Mr WYNNE — I remind the house that a number of key recommendations arose out of Mr Scales's report. The findings were, in part — —

Mr Wells interjected.

The SPEAKER — Order! The member for Scoresby will not interject in that manner and will not use first names across the chamber.

Mr WYNNE — I remind members of the house of some of the findings of Mr Scales's report. Of the group of 11 councils elected in 2008, a total of 6 have been or are currently being investigated for inappropriate behaviour. A councillor acted inappropriately in that he confused his business and council activities, not understanding where his actions should be regarded as inappropriate. There was a leaking of confidential council information on two separate occasions. There was an attempt by a councillor to inappropriately challenge the legitimate actions of council staff, and inappropriate conduct — —

Mr Eren interjected.

The SPEAKER — Order! The member for Lara!

Mr Baillieu — On a point of order, Speaker, the minister is debating the question. It was a straightforward, simple question: what is this mystery organisation that has done the wrong thing in Brimbank and continues to do it right around the state?

Honourable members interjecting.

The SPEAKER — Order! While it is the finals season, this is not a football match, and I will not have cheering from either side of the chamber. The minister is being relevant to the question. I do not uphold the point of order.

Mr WYNNE — There were two cases of inappropriate contact with council staff by councillors. One councillor also expressed a belief that, had the issues in Brimbank not been raised in the Victorian Parliament, everything in Brimbank would have been okay.

Honourable members interjecting.

The SPEAKER — Order! The member for Ferntree Gully will not behave in that manner.

Ms Green interjected.

The SPEAKER — Order! The member for Yan Yean is warned.

Mr WYNNE — The primary accountability of local government is to its citizens. In this instance the elected Brimbank council has failed in its responsibilities to its community. We have acted — —

The SPEAKER — Order! The minister is debating the question, and I ask him to come back to answering it.

Mr WYNNE — The primary responsibility of local governments is to be accountable to their communities, and we have acted decisively on this matter.

Honourable members interjecting.

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

Mr Baillieu — On a point of order, Speaker, the minister is debating the question. The political party that dare not speak its name — —

The SPEAKER — Order! I understand the Leader of the Opposition is in the habit of taking frivolous points of order, but the minister has concluded his answer. As members know, it is stated clearly in the standing orders that the minister needs to be relevant to the question asked, and that is all.

Mr Stensholt interjected.

The SPEAKER — Order! The member for Burwood!

Health: government initiatives

Mr HOWARD (Ballarat East) — My question is to the Premier. I refer to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the Premier outline to the house how the government is taking action to provide world-class health services for regional Victorian families?

Mr BRUMBY (Premier) — I thank the member for Ballarat East for his question. Earlier today I was at Ballarat hospital, and before that I was in Stawell with the local member, the Minister for Agriculture and the Minister for Regional and Rural Development where we announced a funding package of \$310 000 over the next three years to keep the Stawell Gift in Stawell. This was very well received by the council and by the Stawell Athletic Club.

Mr Wells interjected.

Mr BRUMBY — Kim — —

Honourable members interjecting.

The SPEAKER — Order! The Minister for Health! I ask the Premier not to respond to interjections and not to use members' first names across the chamber.

Mr BRUMBY — I was at the Ballarat hospital with the Minister for Health today where I was delighted to announce funding of \$5.9 million for 18 regional and rural hospitals to treat close to 1000 extra patients.

Honourable members interjecting.

Mr BRUMBY — I will come to the member for Caulfield in a moment.

At Ballarat hospital we were able to inspect progress on the medical training facility, which is being funded by the federal and state governments and which will eventually see 80 medical students training there. I mention this because members will recall that about four years ago, when we were being duded by the then Howard government in terms of medical training facilities, we campaigned strongly on this issue. We provided funding under our Regional Infrastructure Development Fund, and as a result we saw a third medical school established in Victoria through Deakin University.

It was great to be in Ballarat today to see the fruits of that labour, to see the fruits of that effort and to see the new places that have been created for medical graduates. What that means is that there will be more doctors in country Victoria and more doctors in Ballarat. It was also good to be there for the budget announcement of \$20 million for Ballarat hospital. This year has been a very positive year for Ballarat hospital, as it has been for many other country hospitals across our state.

That \$5.9 million boost comes on top of last year's boost, which treated an extra 13 400 patients across the state. I am pleased to say that out of this \$5.9 million the Latrobe Regional Hospital will receive — and I am sure the member for Morwell will be pleased to note this — an extra \$357 329. I am sure the member for South-West Coast, who is never reticent in supporting positive government initiatives, will welcome the \$404 019 in funding for Southwest Healthcare. I am sure the member for Shepparton will welcome the \$365 169 more for Goulburn Valley Health, as I am sure the member for Benalla will welcome the extra \$204 900 for the Benalla and District Memorial Hospital.

This funding makes a difference across the state, and it comes on top of what is a record health budget for our state. Some people have not welcomed this funding; I

am disappointed about that. One particular person described the \$60 million that we are putting in, which I announced in January with the Prime Minister, as ‘a drop in the ocean’. Another person, who is surprisingly still in the job despite announcing retirement, labelled it as a ‘bandaid solution’. The minister and I met a patient today who was about to be treated; this makes a difference to people’s lives. We are treating more elective surgery patients than ever before. As I said, this means that close to 1000 extra cases will be dealt with this year.

I might just say generally that this builds on the extraordinary investment we have seen in health in country Victoria. In the years we have been in government there has been \$970 million spent on 82 capital works projects across rural and regional Victoria. We now have radiotherapy centres in the Latrobe Valley and Bendigo and we have expanded the Geelong radiotherapy centre. There are 2300 extra nurses in regional areas and 247 more paramedics on country roads. We have completed rebuilding works at hospitals in Ararat, Bairnsdale, Ballarat, Colac, Echuca, Geelong, Kyneton, Lorne, Maryborough, Rochester, Murtoa, Nhill, Shepparton and Stawell. We have construction currently under way in hospitals in Warrnambool, Nathalia, Wonthaggi, Geelong and Bendigo. We have upgraded residential aged-care services across the state, and we have invested nearly \$10 million in the rural maternity initiative from 1999 until 2011, benefiting 44 rural hospitals.

That is a much better effort than closing 12 country hospitals and taking thousands of nurses out of the system. It is 145 weeks since the last state election, and we still have not seen a single policy on health from the Liberal Party or The Nationals.

Minister for Local Government: performance

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Local Government. I refer to the minister’s decision to sack the Brimbank council, and I ask: given that the Ombudsman found that the minister’s own department did not deal adequately with allegations against Brimbank City Council, will the minister now accept that if it is good enough to sack the council, he too should be sacked?

Mr K. Smith interjected.

The SPEAKER — Order! The member for Bass will not interject in that manner. I ask all members to refrain from using first names across the chamber. The

member for Bass knows that he has a choice to make as to how long he stays for question time.

Mr WYNNE (Minister for Local Government) — I thank the Leader of The Nationals for his question. Unlike The Nationals, we stand up for communities.

Honourable members interjecting.

The SPEAKER — Order! The minister cannot invite interjections and then expect protection from the Chair.

Mr WYNNE — I am used to that, Speaker — that is, I am used to the interjections.

The question from the Leader of The Nationals presupposes that if — —

An honourable member interjected.

The SPEAKER — Order!

Mr WYNNE — This government has put in place the most robust framework to support local government in this state. I remind the house that, as was recommended by the Ombudsman last year, we tightened the conflict-of-interest provisions prior to the last council elections. This move, may I say, was supported by the opposition parties.

We have also put in place a stand-alone investigative unit which is charged with the task of both investigation and compliance across local government. That unit was put in place on 1 September this year. We also just yesterday in the house refreshed all the offences and penalties under the Local Government Act, again — —

Mr Wakeling interjected.

The SPEAKER — Order! I ask the member for Ferntree Gully to exercise some restraint for the rest of question time or he will not be here for very much longer.

Mr WYNNE — That was again supported by the opposition parties. I remind the house of the broad powers that enable the Ombudsman to investigate any matter that he sees fit within the local government area. It is the same policy that the Liberal Party and The Nationals took to the last election.

Women: Premier’s summit

Ms MARSHALL (Forest Hill) — My question is to the Minister for Women’s Affairs. I refer the minister to the government’s commitment to make Victoria the best place to live, work and raise a family, and I ask:

how is the Brumby government ensuring that women have leadership opportunities in Victoria and what could be considered barriers to that participation?

The SPEAKER — Order! Before the Minister for Women's Affairs commences her answer I would remind her that this question should not be widely debated.

Dr Naphthine interjected.

The SPEAKER — Order! The member for South-West Coast will cease interjecting.

Honourable members interjecting.

The SPEAKER — Order! The Minister for Women's Affairs will not show that level of disrespect to the Chair. I ask the member for South-West Coast to cease interjecting in that manner, and I ask the minister to confine her remarks to the question as it was asked.

Ms MORAND (Minister for Women's Affairs) — I thank the member for Forest Hill for her question. On this side of the house we support women in leadership roles. Last week the 10th annual Premier's Women's Summit was held, and it addressed the issue of women in leadership.

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Malvern.

Ms MORAND — This event had a fantastic attendance from a broad range of individuals from right across the corporate and non-government sector. Our keynote speaker, Anne Summers, was followed by speakers from organisations including Deloitte, McKinsey, NAB, Autoliv and the Australian Mines and Minerals Association. Participants looked at the barriers and more importantly the solutions to getting more women on private sector boards and more women in senior management positions.

This government recognises the valuable contribution Victorian women make to the economy and more broadly to the community. We recognise that their participation in leadership roles not only improves equality but also improves companies' performance and leads to a diversity of thinking. Research presented from McKinsey showed that companies with a higher proportion of women in management have better performance on a range of issues including returns to shareholders.

We have a proud record of appointing women to government boards. Nine years ago when we came in to office 31 per cent of government board members were women. We set ourselves a target of 40 per cent, and we met that. Not only have we met that, but we have now increased our target. We have also increased the number of women chairs of boards of our committees from 12 per cent to 32 per cent. We are leading the way — —

Honourable members interjecting.

Ms MORAND — Oh, and that was from a woman!

The SPEAKER — Order! I ask the member for Evelyn not to interject. I ask the minister not to respond to interjections.

Ms MORAND — It is time for change, and this government is taking action. At last week's summit the Premier announced a major upgrade to the Victorian Women's Register. The women's register has on it over 2000 women who are available to be identified for appointment to government positions. The upgrade will ensure that the private sector can also access this database and that it can recruit women from this database into the private sector. But not everyone supports women getting into leadership positions.

Honourable members interjecting.

Ms MORAND — It is true. It takes leadership from the top, and you really do have to have your heart in it. Presentations at the summit demonstrated that leadership from the top is absolutely vital to effecting change. You need leadership from men to effect change in organisations. Liberals should perhaps take that advice when they are considering the preselection in the seat of Higgins.

The SPEAKER — Order! I asked the minister not to debate the question, and I ask her now to be seated.

Children: protection

Ms WOOLDRIDGE (Doncaster) — My question is to the Minister for Community Services. I refer to the revelation today by the Ombudsman that, despite being told by a family member, the government left five and six-year-old boys living with a convicted child-sex offender, and I ask: given that it took the government 17 days for this serious notification to even be referred to the response unit for action, can the minister advise how long it actually took to locate and protect these vulnerable young children from a convicted child-sex predator?

Ms NEVILLE (Minister for Community Services) — I thank the member for her question in relation to a number of issues that are raised in this year's Ombudsman's annual report. As a parent, when I read the cases in the report I was extremely disturbed by the stories and the issues that were raised in those particular cases. They demonstrated a failure by the Department of Human Services in those instances to meet its obligation to ensure that children are placed in safe environments.

Nothing is more important than the safety of young people. Every child in this state deserves the protection of a safe family environment. That is what we want for every family and for every child. That is why we invest so significantly in a child protection system that partners with community organisations and community members to identify and act on reports of child abuse.

The annual report states that the implementation of the Children, Youth and Families Act has led to significant positive improvements in practice. But despite that acknowledgement, any government would say that there is always more that can be done to improve child protection. Today's report demonstrates that despite the very dedicated work of child protection workers, in some instances the department's actions have not met the standards demanded by the legislation. The department's actions have in fact not met the standards expected by the government or the community.

Mr Baillieu — On a point of order, Speaker, the minister is debating the question. It was a very —

Honourable members interjecting.

The SPEAKER — Order! The point of order will be heard in silence.

Mr Baillieu — The minister was asked a very specific, detailed question and is declining to answer that question. In fact the minister is pretending that she has only just found out about this.

Mr Batchelor — On the point of order, Speaker, this is, as the minister indicated, a very serious matter. The minister is responding in detail as required and could not be doing it in a more serious fashion. It is inappropriate for the Leader of the Opposition to be yet again undertaking frivolous points of order. He is doing this as a deliberate tactic to interrupt the flow of the minister in responding in the serious manner that this question deserves. His frivolous point of order ought to be ruled out of order.

The SPEAKER — Order! I do not uphold the point of order.

Ms NEVILLE — As I was indicating, what the report today demonstrates is that despite the efforts of hundreds of workers who work with thousands of children each and every day and do it in a fantastic way, there are some instances where the actions have not met the standards — the standards that are expected by me as the minister, the standards that are expected by the government and the standards that are expected by the community. There is a series of case studies that describe instances of practices that are just simply unacceptable — unacceptable to me, to the Parliament and to the community.

Let me be very clear: the safety of children is paramount, and children should not be placed in situations that put them at risk.

Honourable members interjecting.

The SPEAKER — Order! The member for Hastings and the member for Bass will cease interjecting in that manner.

Ms NEVILLE — That is why it is mandatory for the department to complete police checks, because police checks are a safeguard to prevent kids being placed in the wrong hands.

Honourable members interjecting.

The SPEAKER — Order! The member for Lara! The member for South-West Coast is warned.

Ms NEVILLE — It is not acceptable, even in one case, for the department not to follow those procedures. This morning I made it clear to the secretary of the department that it is unacceptable that these mandatory requirements were not followed. I have asked the secretary to undertake a review of every placement to ensure that the mandatory criminal check has been undertaken.

Work is under way to continue to strengthen our child protection system. The government has already acted. We have more than doubled the funding to child protection and we have strengthened the powers of the child safety commissioner.

Honourable members interjecting.

The SPEAKER — Order! I ask the members for Footscray and Yan Yean, the Minister for Energy and Resources and the Minister for Regional and Rural Development to cease interjecting in that manner.

Dr Napthine — On a point of order, Speaker, the minister is debating the question. The question was

quite specific about a particular case raised in the Ombudsman's report and was absolutely specific in seeking information from the minister about how long it actually took to locate and protect these vulnerable children who were left with a child-sex offender. I ask you to bring her back to answering the specific question asked.

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

Ms NEVILLE — As I indicated, it is a mandatory requirement that before a child is placed in any situation, a police check be undertaken. These instances in this report indicate that that police check did not occur. I have today spoken to the secretary to indicate that that is unacceptable and that we will review all the child placement cases to ensure that that mandatory requirement has been followed. I am determined, and the government is determined, to continue to build our system to strengthen it even further, because every Victorian child deserves to be safe at home.

Roads: government initiatives

Mr LANGUILLER (Derrimut) — My question is to the Minister for Roads and Ports. I refer the minister to the government's commitment to make Victoria the best place to live, work, and raise a family, and I ask: can the minister outline to the house what investments the Brumby government has made to improve the connectivity of Victoria's road network and what alternative road investment strategies he has considered?

Mr PALLAS (Minister for Roads and Ports) — I would like to thank the member for Derrimut for his question and also for his continuing support for improving our roads, securing jobs and better connecting our communities. The Brumby government is building a better road network for all Victorians, helping motorists to spend less time in traffic and more time where they prefer to be — at home with family and friends.

An honourable member interjected.

Mr PALLAS — Some of us, anyway. I was pleased today to join the member for Seymour to inspect a \$1.9 million upgrade at the Melba Highway and Maroondah Highway intersection in Coldstream. This project will improve connectivity within that community, improve safety at the intersection and alleviate congestion at that site, but it also represents a significant milestone in this government's commitment to road infrastructure investment. It takes the

infrastructure investment made by this government, in Victoria's road network to \$7 billion. That is \$7 billion for traffic signals, guardrails, line marking, road resurfacing, road duplication, intersection improvements and bus lanes. It is \$7 billion to improve the safety of our roads and to invest in projects that have helped drive down our road toll, so much so that we have reached record lows over the last six consecutive years.

The year, 2009–10, will be the fourth successive year that the state's expenditure on our roads will be more than \$1 billion. Since 2004 we have increased our annual road expenditure by 187 per cent. We are taking action to improve our roads because we understand how important our road network is to the local community.

What else could we have done? Some have advocated for cuts to road funding. We could have reduced road funding by 20 per cent compared to that of five years ago. If we had reduced road funding by 20 per cent, it would have meant our expenditure on roads would now be around \$360 million. Instead the Brumby government is investing \$1.3 billion in our roads this financial year. The difference would be about \$1 billion a year in road allocations.

What would that mean? What would we have to sacrifice for that sort of reduction? It would mean the Geelong Ring Road would be gone, the Deer Park bypass would be gone, the Nagambie bypass would be gone and the Springvale Road grade separation would be gone. It would mean sacrificing the Tullamarine-Calder interchange, the Pakenham bypass, the South Gippsland Highway upgrade at Cox's Bridge, the Colac-Lavers Hill Road upgrade, the Cliff Street overpass in Portland, the Western Port Highway upgrade at Langwarrin, the Yarra Glen truck bypass, the Kelleets Road upgrade in Lysterfield, the Princes Highway west road duplication, the Portland to Heywood upgrade and stage 7 of the Bass Highway upgrade.

We would have to sacrifice all those projects and similar ones every year if we had a 20 per cent reduction in our investment compared to our expenditure levels five years ago. It is a huge difference. Members are entitled to wonder why anybody would advocate a reduction in spending of 20 per cent over five years. That is what happened between 1994 and 1999, and we all know who was setting the budget back then. That is certainly a time Victorians do not want to go back to.

Honourable members interjecting.

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

Mr PALLAS — We are investing record amounts in Victoria's roads, because we understand that our roads connect communities and improve opportunities for families. We have built 60 major suburban roads and 58 regional road projects, and we continue to invest as the Brumby government makes its contribution and delivers on its \$38 billion Victorian transport plan.

I have also recently seen a statement acknowledging the enormous government commitments made to Better Roads funding and general budget allocations to roads. Who said that? It was the current Leader of The Nationals in 1997 describing the funding decreases for roads that took place when that government was last in office.

Honourable members interjecting.

The SPEAKER — Order! I ask the minister not to debate the question.

Mr PALLAS — Those on this side of the chamber understand exactly what an investment in roads does for communities, how it empowers and connects them. Victoria deserves more than the record of those opposite, who oppose everything and stand for nothing.

Children: protection

Ms WOOLDRIDGE (Doncaster) — My question is to the Minister for Community Services. I refer to the further revelation today by the Ombudsman that the government placed a child with a convicted sex offender even after the child had disclosed previous abuse by this person and the mother had brought this abuse to the attention of the government, and I ask: why has the minister abandoned her responsibility to protect vulnerable children, instead delivering them to convicted sexual predators?

Ms NEVILLE (Minister for Community Services) — I thank the honourable member for her question. I reiterate to the house that the safety of children is the single most important consideration in all these matters.

Honourable members interjecting.

The SPEAKER — Order! I ask the members for Evelyn, Bass and Hastings not to interject in that manner. The minister will not be shouted down.

Ms NEVILLE — What the Ombudsman's report has highlighted in the case that the member has raised is

that there was a failure of the department to undertake a police check. In this particular case the department failed to undertake a police check; it is unacceptable that the department did that. This is why it is a mandatory requirement for the department to complete police checks; it is because police checks are a safeguard to ensure that children are placed in safe environments.

Honourable members interjecting.

The SPEAKER — Order! The members for Bass and Evelyn will cease interjecting in that manner.

Ms NEVILLE — As I indicated in my previous answer, it is unacceptable in even one case for the department not to follow these mandatory procedures. I have made that clear to the secretary of the department today and asked for a review of all placements of children. I reiterate that we take the care of young people very seriously because we want every Victorian child to feel safe at home, and I will continue to work to strengthen our system even further.

Small business: Energise Enterprise festival

Mr PANDAZOPOULOS (Dandenong) — My question is for the Minister for Small Business. I refer to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister update the house on action being taken to ensure our small businesses continue to thrive despite the tough global economic climate?

Mr HELPER (Minister for Small Business) — I thank the member for Dandenong for his commitment to making Victorian small businesses thrive, not only in his electorate but also right around the state. As honourable members will know from a previous answer I have given, Energise Enterprise is the Brumby government's annual small business festival. It is a premier event for Victorians who wish to start a business, who are running a business or who are building a small business into a bigger business. It runs throughout the month of August not only in metropolitan Melbourne but also very much in regional and rural Victoria.

I will give a brief historical outline of the festival. It started in 2006, when we had 240 events and 10 000 attendees; in 2007 that grew to 371 events and 26 000 attendees; in 2008 it rose again to 335 events and 31 000 attendees; in 2009 we set some very ambitious targets, but I will come to that in a moment. Energise Enterprise envisages a month-long celebration of Victorian small businesses so that the Victorian

small business community understands and recognises how important we see them as being and how important a role they play in our community.

Victoria is home to 500 000 small businesses, and they account for 1.4 million jobs in this state. Some 99 per cent of Victorian businesses are small businesses. This represents a terrific investment of effort and hard work by thousands and thousands of Victorians. With hundreds of events, Energise Enterprise has something to offer everyone in this very diverse sector. The festival offers a platform for inspiration and ideas and information for business owners and operators and anyone thinking of starting a business.

The theme for this year was 'Marketing in difficult times', which was the theme of the regional roadshow event I attended in Maryborough, and it was a terrific event. Other terrific events were the Franchising and Business Opportunities Expo, the Lifestyle Market at Federation Square and the Retail Expo 2009.

As I said earlier, we set an ambitious target — 400 events and 35 000 attendees. I am pleased to confirm that not only did we reach those targets, we massively exceeded those targets. We actually delivered 470 events and we had 38 000 attendees, and that is at a time when small business is clearly looking for leadership and inspiration. That is a terrific result, because we clearly delivered on that.

I have used a number of figures in this answer, and for those opposite who may not have grasped those figures I am sure *Hansard* will provide a useful reference. I just want to use one more figure which covers two facts. The figure is 746. The first fact the figure relates is the number of days that the shadow Minister for Small Business has not asked a question. The other matter it relates to is that it is 746 days since she became the shadow Minister for Small Business. She has not asked a single question during the entire time that she has been spokesperson. I suggest that she develop —

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

Violence: international students

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer to the apparently racially charged gang bashing of four members of Melbourne's Indian community on Saturday night in Epping, and I ask: is it not a fact that the Indian community first told their story of this latest bashing to the Indian media because they no longer have sufficient

faith in the Brumby government's response to such violence?

Mr BRUMBY (Premier) — I must say, listening to the Leader of the Opposition's question, the logical conclusion of this question would have been that they did not have faith in the Victorian media, but I do not think that is the case at all.

This is a matter which was brought to my attention this morning. I have sought advice on the matter from Victoria Police and from the Minister for Police and Emergency Services. There was an incident at the weekend in which police were involved. They have arrested but not yet charged four individuals in relation to that matter. I am not able to comment for obvious legal reasons, because individuals may be charged in relation to this specific matter. But I can reiterate what I have already said to the media this morning — that is, any act of violence in our state is unacceptable, and any act of racially motivated violence or racism is completely unacceptable. I do not know all of the circumstances, but I have made it very clear in the Parliament and I have made it very clear publicly that crimes which involve any element of racial violence are completely anathema and completely unacceptable to me, to the Parliament, to all sides of politics in this state and to the community generally.

Speaker, as you know, in response to certain other crimes that were committed earlier this year the government has introduced tougher legislation in relation to sentencing. That legislation was introduced yesterday and makes changes to the Sentencing Act, which include tougher penalties for a judge to apply if any crime that has occurred is motivated by hatred, including racial hatred. Those laws, hopefully with the support of the opposition, will go through both houses of Parliament.

As the house is aware, I am also visiting India later this month. I will be meeting with senior ministers there, and I will be making it very clear to them that safety is the no. 1 priority to ensure that students who study here are safe. From all of the information collected by the Australian Bureau of Statistics and other sources, our state remains the safest state in Australia.

The Minister for Skills and Workforce Participation has also been finalising plans in terms of our overseas student task force, which were the initiatives flowing from the work previously undertaken by the member for Footscray. We are concluding that work and expect to make further announcements about that in the near future. That builds on the initiatives announced during the harmony walk, including the 24/7 student support

service which we provided funding for and which will be working for students right across the state of Victoria. This is a serious issue. I have confidence that Victoria Police will deal with it appropriately, but I can only repeat that any act of violence and any act of racially motivated violence is completely unacceptable.

Dental services: government initiatives

Mr LIM (Clayton) — My question is to the Minister for Health. I refer the minister to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister update the house on how the Brumby government is assisting Victorian families by boosting dental services?

Mr ANDREWS (Minister for Health) — I thank the honourable member for Clayton for his question and his interest in a local way. I share an electoral boundary with the member for Clayton, and I know he has a strong interest in better oral health outcomes for often vulnerable members of his local area.

Oral health is very important. That is why as a government we have invested more than \$1 billion since 1999 to drive better oral health outcomes across our great state. That is why this government in a determined way is bringing fluoride, as an act of fundamental equity, to more Victorians than any government in our state's history. That is why in this year's budget and in recent years we have supported a second dental school at La Trobe University, and that is why we have provided funding in this year's budget, in a first, to bring rural clinical education for dentistry and allied health professionals in the oral health area to rural communities with a rural clinical school in the Wodonga area and one in Bendigo.

The reason we make these investments and the reason we have made such a determined effort in this regard is that oral health, as I would think all honourable members would agree, is very important. That is why we have consistently lobbied the previous and current commonwealth governments to do more to support us in this important work. That is why it was such a great shame that one of the first acts of a previous federal government was to abandon the commonwealth community dental health program in 1996. That is why it is a continuing cause of frustration and a shame that the current commonwealth government is having its efforts to reinstate that community dental health program blocked in the Senate. It is costing this state tens of millions of dollars and in effect costing a quarter of a million Victorians access to the oral health care they need.

These issues are important. There are barriers — obviously those in Canberra who will not support these measures are a clear barrier to better oral health — but we will not be deterred in our efforts. We will continue to invest in the oral health services that are so important. That is why in this year's budget there was funding of \$3.5 million over the next two years for an important blitz. It is not just money, it is money to provide 10 000 Victorians in communities with the longest waits with the oral health care they need.

I would have thought that would be welcomed by every member of this house, just as it has been warmly welcomed by the communities that are affected — the communities that will share in this funding — so you can imagine my surprise when my attention was drawn to a range of statements that were in effect criticising the government for not spending money in the exact same communities that we are spending extra money in. Who might have been doing that? It might be someone who has not read the budget papers. That narrows it down a bit.

Honourable members interjecting.

The SPEAKER — Order! The Deputy Premier! The member for South Barwon is warned.

Mr Helper interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Minister for Agriculture

The SPEAKER — Order! Under standing order 124, I ask the Minister for Agriculture to leave the chamber for 30 minutes.

Minister for Agriculture withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Dental services: government initiatives

Questions resumed.

Mrs Shardey — On a point of order, Speaker, the minister is clearly now debating the issue. If he wishes to debate the fact that there are 108 000 Victorians waiting for health care, then I am happy to oblige him.

Honourable members interjecting.

The SPEAKER — Order! The member knows that that is not the form of a point of order. However, the minister is clearly debating the question, and I ask him to return to it.

Mr ANDREWS (Minister for Health) — Be in no doubt that this government will continue to provide additional support in those communities that have the longest waits. That is what the budget was about, and those who bothered to read the budget know that, including the communities which will benefit — the 10 000 Victorians who will get the care they need. There is only one person who seems unaware of these things, and I normally refer to her as the oracle. She is the human punch line.

Honourable members interjecting.

The SPEAKER — Order! The time set down for questions has expired.

PLANNING LEGISLATION AMENDMENT BILL (No. 2)

Second reading

Debate resumed.

Mr CLARK (Box Hill) — Another significant improvement to the DAC (development assessment committee) procedures that was secured by the coalition parties is a requirement included in the bill before the house requiring all DAC meetings to be open to the public unless a matter is to be held in camera for specific reasons as set out in the bill, which must be recorded in the minutes of the DAC.

Further, the coalition has secured the omission from the bill of a provision that was in the previous bill that allowed the minister to suspend a councillor or council officer or indeed any other member of a DAC from the DAC for allegedly acting against the best interests of the DAC. This was an appallingly sweeping and draconian provision that could be used to intimidate and act against a councillor or council officer or indeed any other DAC member on the most spurious and open-ended grounds. That and the potential for DAC proceedings to be conducted entirely behind closed doors were severe impediments to and constraints on the ability of councillors or council officers to properly participate in the DAC process and still be accountable to their communities, to be able to speak freely about what had transpired at DAC meetings. These two changes which the opposition parties have been able to secure remove those impediments to councillors and

council officers continuing to uphold their duties to the community while participating in the DAC process.

There are two other aspects relating to the DAC regime about which some undertakings have been obtained from the government outside of the legislation itself. The first of these is that the government has given undertakings to provide additional funds in relation to the DAC process. The second-reading speech records that the government is committed to funding development assessment committees beyond the initial two years for which it has previously provided \$2 million, and the second-reading speech also states that such funding will be made available to support the operation of the committees and may be used to offset ‘extra ordinary’ council expenses.

I think some further clarification is needed from the government about this issue of offsetting ‘extra ordinary’ council expenses. On my reading and assumption this is intended to refer to expenses that may be incurred by councils in supporting the DAC process over and above the expenses that would have been incurred by the council in considering the relevant planning application had it been dealt with by the council itself in the normal way outside the DAC process, and I think it would be very helpful to have that position confirmed by the government in the course of debate in this Parliament.

The government has given a further commitment to undertake a review of the DAC regime after two years. This side of the house thinks that a far better way of resolving the future of DACs is to remove the current government and replace it with a coalition government that is already committed to making changes to this legislation. If that change of government occurs, then this commitment by the current government will become redundant. Nonetheless should Victoria have the misfortune to have a continuation of the Labor Party in government after the next election, this commitment will be operative.

Aside from the changes that the coalition parties have been able to secure in relation to the DAC process, we have secured another very significant change in that the government has removed from this bill now before us the provision that was in the previous bill that empowered it to declare any area it chose in Victoria to be a growth area, a power that was intended to be a precursor to its intended growth area infrastructure charge. If that provision had continued, it would have given the government the power to designate any area in Victoria as a growth area and thereby expose it to the government’s intended charge. Thankfully that

provision is no longer in this bill. We can also hope the government will see sense about proceeding with the whole idea of the growth area infrastructure charge that it has proposed.

Having outlined to the house the various safeguards and other improvements that the coalition parties have been able to secure, the fact remains that the dispute resolution that has been put before the Parliament and which is reflected in the bill is not a resolution that has resulted in legislation that can in any sense be said to be good legislation. All that can be said, as I pointed out yesterday, is that the legislation that will be passed is less bad than the regime that would have otherwise prevailed.

Many of the concerns that we expressed about the original legislation remain. In effect the government's bringing of this legislation before the house is an admission that the current planning scheme is not working, as indeed it is not. There are long delays, and there are interminable arguments. This DAC regime that the government is establishing seems likely to do little in what it will implement that will prove to be effective to overcome the bulk of the problems that exist in the Victorian planning system at present.

The government is trying to blame councils on the basis of delays in making decisions, but any problem there is not going to be overcome by this DAC regime.

The issues about the adequacy of zoning, definitions of planning schemes, flawed criteria for deciding planning permit issues and the short staffing of local government planning departments or how those planning departments conduct themselves are going to remain. Exactly the same council officers who do the legwork for planning applications under the existing regime look set, from what the government is saying, to continue to do the work to service the DAC. All that will be happening is that the community decision-making process in the form of an elected council will be replaced by this hybrid DAC process at the point of making a decision. There is nothing inherent in the legislation that is going to change the process leading up to that decision.

Furthermore once the decision has been made, the same laws as currently apply will continue to apply in that if people object to a decision of the DAC they will be able to appeal to the Victorian Civil and Administrative Tribunal just as they are able to appeal to VCAT against the decision of the council. The government is hoping this measure is going to speed up the planning process, but it is difficult to see how the statutory form

of the DAC that it is introducing is going to achieve that result.

Yet at the same time, despite the improvements that have been able to be secured by the coalition parties, the scheme of the DAC still cuts across local community decision making and is still at odds with the whole range of claims and promises that the Bracks and Brumby governments have made and that the Labor Party made when it was in opposition.

Many members of this house will remember the former planning minister, John Thwaites, running around the state promising that he was going to be the champion of local communities and that he would restore local authority and decision making in planning. Now we see this DAC regime that the government is persisting in introducing going in exactly the opposite direction. On the one hand it seems likely to do little to fix the various serious problems with the planning regime here in Victoria, which the Bracks and Brumby governments have allowed to develop, but on the other hand it is going to significantly weaken the potential for local communities to have a say through their local councils.

Regrettably, however, the government has made it clear that if this legislation is not passed, it will use its existing call-in powers to call in any planning application across the state it likes, meaning that local communities across Victoria will face the threat of call-ins on a whole range of projects, not just in principal activity centres but anywhere down to the smallest neighbourhood shopping centre. And if a planning application is called in, the local community will have no say whatsoever on that planning application. Therefore, as I observed yesterday, the benchmark against which the dispute resolution put to the house and this legislation is to be judged is not the benchmark of whether it is good legislation but whether it is less bad than a regime of unchecked and repeated call-ins, which is the alternative the community is being threatened with by the Labor Party.

The coalition parties will therefore be voting on this bill so as to give effect to the dispute resolution that has been reached because it is less bad than the alternative — that is, the call-in regime with which the community is being threatened by the government. However, the legislation remains bad legislation, and we are committed to changing it upon coming to government.

Ms D'AMBROSIO (Mill Park) — I am pleased to rise in support of the Planning Legislation Amendment Bill (No. 2). I note that the bill enables the establishment, importantly, of the development assessment committees. It also makes amendments to

several other acts, which I will not go into at the moment. I would rather focus on the key thrusts of the bill.

The development assessment committees will comprise state and local government nominees, who will be authorised to make planning decisions on significant planning applications. This membership, which will be shared between the state and relevant local governments, represents a partnership approach to major planning issues in this state. Some will ask, 'Why do we need to go down this road?'. What it does is recognise the overlap in local and state government policy that exists in certain proposals requiring planning permits. But it also recognises the fact that whilst state governments establish the broad policy frameworks and settings for planning in this state, local governments have traditionally been the authorised planning agencies or authorities for the details of planning proposals.

Importantly, the establishment of development assessment committees enables these two important players in Victorian planning to be brought together in a conjoint planning approach to ensure that proposals for key developments that will have an impact or relevance beyond purely localised municipal boundaries will receive the concurrent attention and partnered response of state and local governments. This has to be a good thing for major planning proposals in this state, because it brings together in a conjoint way the broad policy settings of the state and the detailed policy applications commonly dealt with by local governments. Currently there is no mechanism available for bringing these two important planning spheres together in a concurrent fashion. Planning permission can only be given separately by individual councils or by the minister.

The bill reflects this government's commitment to strengthening probity and integrity mechanisms in local government, and we cannot lose sight of this important policy thrust on the part of this government. The bill will introduce provisions to ensure that the processes undertaken by development assessment committees in considering an application for planning permission are subject to the very high standards of transparency and probity which this government is committed to. It has taken many steps and initiatives, through various changes to acts of Parliament and guidelines for behaviour, to make these a reality.

I would like to add that we have had a debate this very day on one such important change that has been put through, and I am glad to see the Minister for Local

Government, the minister at the table, has been steering this agenda very ably as the captain of such reforms in local government. This bill adds to that and clearly demonstrates the partnership approach which is required for transparency and which demonstrates the probity standard the community expects.

The development assessment committees will be useful and appropriate mechanisms for dealing with significant planning applications. We need to understand the natural synergy of interests between the state and the local planning authority, the council. Sharing the responsibilities for proposals that come before the council will ensure that those significant projects which are specified as having either a metropolitan, regional or state significance will receive that partnered approach and response. That means we will have greater opportunity to effect positive change that takes into account the localised interests of communities together with the broad, strategic planning policies of the state government.

The development assessment committees can only be established by an order of the Governor in Council on recommendation of the planning minister. A development assessment committee must only act within the parameters specified by that order and within the policies settings of the local and state governments.

We must remember that the deliberations of a development assessment committee do not remove or impinge on third-party appeal rights or the calling-in powers of the minister. It is important to put that squarely at the forefront of this debate. Unfortunately it is something that is often, for political expediency, overlooked or diminished. This bill does not seek to diminish third-party appeal rights. They remain a hallmark of this government in everything it does in the planning sphere and in the way local government operates, and we are very proud of that. We stand here proudly as the protectors of appeal rights, because we believe a community's interests are very important in the planning of its local environment. I am pleased to speak on this bill, because it protects those interests.

Each development assessment committee will comprise an independent chair and an alternate. There has been mention of the dispute resolution process that the previous bill referred to, and there have been a few minor adjustments to that bill. We now have this new bill before us, which makes some minor alterations. But let us be very clear that the policy intentions of this government are protected and stand paramount in the bill before us.

If we look at the development assessment committees in terms of other appointees or nominees to them, we note there will be two standing state government nominees and an alternate for each member, who will be nominated by the Minister for Planning. There will also be two local government nominees who will rotate on and off the development assessment committee to ensure that there is representation for the municipality within which the application is based. Local governments have been assured of this, and they support the development assessment committee framework. That provides good evidence of the bona fides of this bill and of what we intend to do as a state government working in real partnership with local communities. All members of the development assessment committees will be appointed by the Governor in Council, so they will all have equal status, if you like. The member will hold office for a period of up to three years and may be reappointed.

Let us be clear about the probity requirements of the development assessment committee members. Those requirements will cover very important areas of conduct, including what will be provided to ensure there is the utmost probity in deliberations. The conduct of individual members will go to the heart of the conduct principles for members which will be established. They will also cover matters to do with the misuse of the position of nominee at either a state or local government level. There will also be requirements that look at the direct and indirect interests of the individual members of a development assessment committee. There will be a need for the secretary of the department to maintain a register of interests of members.

Mr Wynne — Strong probity guidelines.

Ms D'AMBROSIO — There are very strong and clear probity guidelines. This government is committed to ensuring that standards of probity exist and are applied right across various acts of Parliament and instruments that are established by this Parliament. The development assessment committees are no different in this regard. I commend this bill to the house. I wish it a speedy passage.

Mrs POWELL (Shepparton) — I am pleased to speak on the Planning Legislation Amendment Bill 2009 mark 2. The first Planning Legislation Amendment Bill 2009 was opposed in this house: it moved to the upper house and was defeated. Its defeat was supported not just by The Nationals and the Liberal Party but also the Greens and the Democratic Labor Party, so it was opposed by all parties other than the

government's party. There was huge opposition to the second-reading motion regarding the original bill.

The member for Box Hill went through a number of concerns we had about the original bill. One of them was the huge opposition of councils to establishing DACs, or development assessment committees, particularly in their original form. This matter was referred to the Dispute Resolution Committee and a resolution was reached. I would like to congratulate the committee on reaching an agreement.

The member for Box Hill and the shadow Minister for Planning, Mr Guy, a member for Northern Metropolitan Region in the other house, did a lot of work on this legislation to make sure the bill before the house today is one we will not be opposing, but we are certainly not happy with the bill. I would like to congratulate those members for the concessions they were able to get from this government to make this bill we are dealing with today slightly more palatable.

The coalition has been able to secure a number of valuable safeguards and improvements. This is for the benefit of local communities and allows them to have a better voice in the process. The coalition removed the provision that enabled the Minister for Planning to remove a DAC member if he or she acted in a way that was not in the best interests of the DAC or if they criticised the committee. Previously they could have been fined if they criticised the DAC process or a committee decision.

The Minister for Local Government is at the table. The minister knows that would clearly be against the Local Government Act. The local government charter this government proudly introduced in 2003 says one of the functions of a council is to advocate and promote proposals which are in the best interests of the local community. The ability to suspend a council or council officer for allegedly acting against the best interests of a DAC would be totally against the local government charter. It is important that was removed. I congratulate the member for Box Hill, the shadow Minister for Planning and those members who raised that issue. It would have been against the local government charter, and a councillor swears on oath to follow that charter and pledges to work in the best interests of the community, not another organisation.

The charter also says the primary objective of a council is to endeavour to achieve the best outcomes for the local community, having regard to the long-term and cumulative effects of decisions. Another objective of a council under the charter is to ensure transparency and accountability in council decision making. These are all

laudable provisions this government put into the Local Government Act 2003.

One of the conditions of membership of a DAC was councillors could not disclose information to their council or community. This was clearly a breach of the charter. The coalition requires all DAC meetings to be open to the public unless a matter is held in camera for legal reasons. Again, I congratulate members for bringing that requirement forward, because meetings need to be in the public arena. A councillor is to serve the interests of their community and the council rather than another organisation that does not belong to the council.

The original bill established five DACs in activity centres. There was also the potential for DACs to be established in growth areas right across country Victoria and regional Victoria. It meant new DACs would become the responsible authority for all developments within an area determined by the minister. This had huge implications for councils. I have spoken to a large number of councils and received responses from a number of them. This is an area they did not understand; they did not understand this could mean they could have had a development assessment committee in their growth area. When they were told the original bill said this, they were quite concerned about it and started to make sure I understood they were opposing that provision.

It meant the state government was removing planning powers from local government. During a previous question time, in response to a question I asked, the Minister for Local Government said, 'No, the best interest of local government is for planning to be in the hands of local councils — —

Mr Wynne — Absolutely.

Mrs POWELL — The Minister for Local Government at the table says, 'Absolutely'. I believe the original bill that came before us would have removed the planning powers from local government by stealth, because local councils would not have been made aware of it until the Minister for Planning had decided that the area that the developer had decided to develop in could be developed. If the developer found out the local council was not supportive, the applicant could ask the minister to establish a DAC in that area. Virtually all the minister had to do was to say, 'This area has more significance than local council significance; it is of state significance'.

As I said, a lot of councils have raised with me the issue of the lack of consultation. The shadow parliamentary

secretary for local government will also have something to say about these issues when he makes his contribution, because over a four-and-a-half-month period we spoke with 38 councils and it was raised with us time and again by these very vocal councils.

I refer to a newsletter from the Victorian Local Governance Association. The president's blog of 1 May states:

Recently, councils have been asked to respond to multiple reforms and changing practices with respect to planning: new residential zones, new activity centre zones, review of the Planning Act, introduction of the development assessment committees (DACs) and more.

Reviews are very welcome, but the VLGA is concerned where processes appeared hurried, details unclear and the commitment to genuine partnership between local and state governments is questioned.

...

The VLGA also has concerns about the legislation currently before Parliament introducing the DACs —

that is, the original bill —

The proposed structure of the DACs results in local governments losing decision-making control, but bearing the costs and responsibility for decisions of the DACs.

This is another example of councils saying they are concerned that costs would be shifted to them without them being able to best represent their communities.

The coalition has been able to get a commitment that the operation of DACs will be reviewed after two years, with more adjustments being made if needed. That is an important measure on which we have been able to follow through.

In the second-reading speech the minister advised that the budget provided \$2 million over two years for the operation of DACs, that the government was committed to funding DACs beyond that period and that such funding would be made available to support the operation of the DACs and may be used to offset extraordinary council expenses. I want to make sure this is not this government's way of trying to shift costs on to local governments, which will have to fund the cost of the provision of technical advice and information from referral bodies. They will have to do all the work and prepare it for the DAC, which will then use that information. We need to make sure that this will not be a cost to local government.

The state government has said if this legislation is not passed, it will use its calling-in powers more often. As the member for Box Hill said, this is not in the best

interests of local government or of communities, because they will lose their right to object. If we have to choose between the two evils, this is the one we do not oppose. However, as the member for Box Hill said, the coalition in government would change the legislation to allow councils to opt in or out of any DAC regime. That is a commitment from the opposition.

Mr BROOKS (Bundoora) — It is a pleasure to contribute to the debate on this important bill, and I must say I spoke on the previous version of this bill when it came to this place before it was passed by this chamber. This is a good bill, one that provides for certainty in the planning and development of activity centres in a coordinated way that respects local and state policy. From listening to the debate here in this chamber today and from reading the debate that took place yesterday in the other place on the dispute resolution motion, it seemed to me that there are essentially two arguments against the bill, even though the opposition has indicated it will be supporting the progress and passage of the bill through the chamber — —

Mr Morris — Not opposing.

Mr BROOKS — It is not opposing it, as opposed to supporting it. The dispute resolution process was one of the issues that was raised as a concern; the other was the content of the bill itself, which I will come to in a moment. The dispute resolution process is set out in the constitution following the amendments made and passed by both chambers of Parliament, and yet members of the opposition in the other place suggested that this process is undemocratic.

The Dispute Resolution Committee's membership is drawn from both houses and several political parties, and yet it is somehow undemocratic. It is open to each house to reject the Dispute Resolution Committee's advice, but somehow this is undemocratic. Obviously it is up to the members of the opposition to refuse this bill if they feel there is something wrong with it; we will see how they vote. The contention I put to the chamber is that members of the Liberal Party are squealing because they have not gotten their own way.

Previous speakers have highlighted some changes from the original bill, but they mainly concern commitments made by the government being put into legislation; they are not major changes to the direction the government intends to take.

On the opposition's contortions on the subject, particularly the policy issue around the development assessment committees, I have to quote from

yesterday's debate in the other place on the dispute resolution advice. Mr Barber, a member for Northern Metropolitan Province and one of the Greens in the other place, said in reference to another member:

I will not quote in full the shadow Minister for Planning, Mr Guy, I will quote a list of the terms he used at various times to describe the bill —

I should note that he is referring to the previous bill —

The terms were: 'concerning'; 'sneaky'; 'pretty low'; that the bill showed 'contempt'; 'bizarre'; 'bureaucratic'; 'misleading'; 'half-hearted'; 'half-baked'; that it would 'do nothing for industry'; that it would 'gut' community input; 'shameless'; and 'deceptive'. He concluded by saying the bill would 'undermine the fundamental basic principles' of planning.

That was Mr Barber quoting Mr Guy, and I think he was spot on. The shadow Minister for Planning railed against the original bill, and the bill before us is very similar in its intent and provisions, and yet we have heard that the opposition is in effect supporting the bill. I am still not sure what the difference is between not opposing and supporting in terms of this chamber's processes, but we will find out.

Mr Morris interjected.

Mr BROOKS — In the previous debate the member for Mornington, who has just interjected, described the original bill as 'an absolute shocker of a bill', and yet he is not opposing this bill.

As the government has said, the development assessment committees are an approach that involves a partnership between the state government, which has responsibility for state planning policy, and local government, which obviously has the important role of developing local policy and ensuring that local community needs are taken into account in planning decisions. However, there is no doubt that in the large activity centres which are specified in the bill it is important that state policy is considered and that the state government has a buy in for the broader community.

The bill provides for development assessment committees to have five members, as did the original bill. The members will include an independent chair, two state government members and two local government members. The two local government members are to be nominated from a pool of five council staff or councillors.

The development assessment committees do not remove the rights of objectors to appeal to the Victorian Civil and Administrative Tribunal. That is an important

point, because there are those who say this removes people's rights and is trampling on democracy; however, the option is still there for people to appeal to VCAT. Any single objector will be able to appeal to VCAT a decision of a development assessment committee. Nor do the provisions of the bill affect the minister's powers of call-in. As has been mentioned by an earlier speaker, under this bill meetings of the development assessment committees will be accessible by the public, and the probity requirements are set out in clause 5.

I am pleased to support this bill. I am looking forward to the support of all members of this house for this important bill because it provides certainty. It provides for a strong partnership between government, local government and local communities. It helps to provide certainty around development in activity centres. This government has held a consistent position on this issue based on sound planning policy. The opposition does not have a planning policy, so it is no surprise that it has flip-flopped on this particular bill. I commend the bill to the house.

Mr INGRAM (Gippsland East) — I rise to speak on the Planning Legislation Amendment Bill 2009 (No. 2). This bill has undergone an interesting process. We have not seen much of such a process, in this place or in other parliaments, and that is due to the upper house changes and the Dispute Resolution Committee processes. It provides some constitutional challenges because historically I believe we have always had a same-question rule in this place. There are some interesting issues involved in how we have got to the position we are in.

Earlier in the year during the debate on the original bill, I voted against the legislation for a range of reasons. The main reason was the overriding of the democratic process at a local government level and that local government area where planning is the predominant responsibility. One of the hardest jobs local government has is to deal with the complex planning issues that come to it. State legislation can potentially override that, because we legislate the planning provisions. The Parliament has the ability to disallow planning scheme amendments, so there are some interesting relationships between local and state governments in that planning sphere.

I voted against the previous bill because I had some concerns about the legislation in the first place. Since that time this bill has gone through the Dispute Resolution Committee and a number of changes have been made to it. They were outlined in the motion put

forward yesterday by the Leader of the House and are now contained within the legislation before the house.

I note with interest the opposition's comments. Opposition members will vote for the bill, but they disagree with the bill. Members of the opposition have said that it is bad legislation and will be repealed when they form government. That is an interesting statement in itself. As legislators we need to make sure that when we are dealing with legislation before the Parliament our support or otherwise is based on the facts or the structure of the legislation before the house. If you strongly believe as an individual or as a party that legislation is bad, I struggle to see why you would then vote for and pass that legislation.

As I said, planning is one of the most controversial, difficult and vexed issues that local government deals with. Often as members of Parliament we are lobbied by individuals who are concerned about particular issues. My view is always that they need to talk to councillors about those issues, but it can be difficult.

This bill establishes the development assessment committees. I understand why the government has chosen this path. It is predominately because one of the issues is to set up activity centres and to try to get a change in the way planning happens, particularly in the metropolitan areas. As a matter of principle I support that concept for a range of reasons. Firstly, the continual sprawl of Melbourne, particularly into highly fertile agricultural areas, has to stop. It is outrageous that we continue to build houses on the outer fringes in areas without the support and infrastructure they require. We build freeways out to these areas because often those who live in the areas do not have access to the public transport network that is required to transport them to and from their places of work.

Building a city like this is going down the line of all failed major cities elsewhere in the world. It would be much better if we could get development back into activity centres where the infrastructure and public transport is, where there are shops and other services, rather than continuing the sprawl of Melbourne, particularly into highly fertile agricultural areas. In the future we will need that land to feed the population of Victoria and Australia. It is one of the structures in this legislation that I support.

Overriding that is another debate currently in the public domain about the infrastructure contribution. This is a controversial issue. However, I have made numerous statements in this place before about the impost on regional communities, cities and taxpayers for every house that is built in the outer metropolitan area.

Approximately \$50 000 worth of infrastructure is required for each house that is built in those areas, which is paid for by Victorian taxpayers. As a matter of principle I believe it should not be the taxpayers of small towns like Omeo who should pay. The infrastructure is in place; the schools and other services are there. When a house is built the developer pays for the infrastructure — the water, power and other services — that go into those blocks. Why should the taxpayers of Victoria pay to provide infrastructure — such as new schools in those new subdivisions — when there are other options such as regional cities, which often have spare infrastructure and can absorb the new developments?

There are some complex issues, even with this legislation that we are debating today, about the preferred model of planning and development in Melbourne's urban areas and how it should be done. As a member of Parliament I am aware, even though I do not represent a metropolitan area, of the controversy and the local opposition that multistorey developments in some of those activity centres attract. I am not talking about big, 12-storey buildings; I am talking about more intense residential developments of perhaps 2 or 3 storeys. However, the local opposition is intense and the matter goes to the Victorian Civil and Administrative Tribunal. There is a whole public, legal and planning debate about each of these areas when only a small number of people might object to it.

So how do we set the statewide planning process to make sure we get those outcomes? I understand why the government has gone down this path. However, the challenge is: is there a mandate, is there the support within the community to implement changes like this, or, as has been indicated by a number of speakers from the opposition, is it bad and should it be repealed? If that is the case, if that is the position that it still should not be done and there is still not the support, then it probably should not pass this Parliament.

There is some concern in some quarters that if this were to be voted down — there is still the ability to vote it down in this house and the other house — the government might use this as a lever for an election. I think it would be very dangerous for any government to use a bill like this as a trigger, because planning, as I said, is very contentious. It would be very easy to motivate a large amount of opposition to this particular piece of legislation if it were used in that manner.

Ultimately the Parliament has to make a decision as to whether this type of law should be passed, whether these sort of powers should be removed from local government — there is the removal of powers or a

removal process — or whether the government has the mandate to make this type of change without that community support. We have seen how the upper house voted the first piece of legislation down, and ultimately the decision made in here will probably be reflected in the other chamber. With those words, I will be referring my decision, and I oppose the legislation.

Ms DUNCAN (Macedon) — Despite the opposition of the previous speaker to this bill, I would support many of the issues and points that he raised in his contribution. However, I rise in support of the Planning Legislation Amendment Bill (No. 2).

I have sat in this chamber and listened to a number of different members go through their positions on this bill, and I am again puzzled by the position of the opposition. We are hearing from most of the opposition speakers that they will not be opposing the bill but basically they do not support it. We have heard a range of criticisms of the bill, which does make you scratch your head and wonder: if that is their view, if they believe that this is such poor planning or poor legislation, why would they not just not oppose it but actually reject the bill? If they were true to themselves and that was what they truly believed and if this whole dispute resolution process were not just a relevance deprivation exercise on behalf of the opposition, they would oppose the bill. There is no way members opposite could support the bill with clear consciences having said some of the things they have said in opposition to it.

One of the good things that has come out of the debate is that the member for Shepparton declared — and it might have been mentioned by the member for Box Hill, but I missed that — that if ever the opposition is again in government, it will repeal parts of this legislation so that, as I understand it, councils will be allowed to either opt in or opt out of being part of this partnership process between state government and local government. I will be bold enough to make a prediction and to suggest that some years down the track — hopefully many years down the track — if the opposition is back in government, when it makes this offer to local governments most local governments will choose to stay in the system. It was highlighted by the previous speaker that planning is incredibly difficult: for as many people who support a proposition there will be the same number who oppose it, with sound arguments for and sound arguments against. It is always a balancing act.

One of the main reasons I think this is good legislation is that previously either local governments were making decisions or there were call-ins by the planning

minister. One of the reasons opposition members might oppose this bill is, quite frankly, that they would not see the need for it. Under their government it was a decision either by local government or by the planning minister, who called in huge numbers of proposals. Under the previous government we saw how many times the planning minister, without any explanation, without any guidelines about why or why not, would call in a proposal and would make that decision unilaterally. From memory, none of those call-ins was in support of local residents. My memory — and I stand to be corrected — is that his call-ins supported the proponent, the developer, in almost all of these cases. Do not ever be misled by what the opposition would suggest — that is, that it is there to support the underdog and this is a matter of big developers trampling over the individual rights of residents. One has only to look at its track record to appreciate that that is absolute rhetoric and hypocrisy in its highest form.

We also heard the member for Box Hill talk about the threat that hangs over us if we do not support the bill — the unchecked and repeated call-ins that he said may result if this bill is not passed. Talk about the pot calling the kettle black! It really is hypocrisy in its most extreme form for any member of the Liberal opposition to suggest that this government is doing anything like unchecked and repeated call-ins. I think he must have been talking about the planning minister under the Kennett government.

It seemed to me he also questioned the fact that there will still be appeals to the Victorian Civil and Administrative Tribunal. He said that if the government was hoping this was going to speed up planning, then the fact that there are appeals to VCAT means that will not occur. That suggests to me that he thinks you either do it unilaterally, which we saw members opposite do when they were in government, or you remove all those third-party appeal rights.

From listening to the contributions of members of the Liberal Party I can understand why they would be confused, because while they say they support the bill, it is inconsistent with everything they have previously said and everything they did when they were in office. It is the case again that either they are very confused or, as I said before, they never let the facts stand in the way of a good piece of opposition rhetoric.

I support this bill. I support the introduction of development assessment committees (DACs). It is a good balance between the decision making of local councils, which will understand their local communities and have an appreciation of those local issues, and state

representatives, who have an eye to a broader need for the potential of this sort of development. We know we do not want to continue Melbourne's sprawl. We know we need to have higher density in housing and in all manner of developments. As much as members of the opposition and other people will say, 'Where has 2030 gone?' and all of these things, the reality is that people generally do not like higher density housing. You cannot have low-density housing and prevent urban sprawl; the two are inconsistent. We are either serious about increasing densities across metropolitan Melbourne or we continue urban sprawl. Another option is to somehow put a moratorium on any population increase and have all manner of totalitarian measures to reach that end. All of those are completely unacceptable, so we will continue to have population growth.

These sorts of decisions must be made in a balanced way, where you are trying to bring together a partnership between two planning authorities — one with an eye to the local issues and one with a broader eye to the statewide issues and statewide development pressures — and I believe the DACs will achieve that result and we will get balanced and good planning outcomes as a result.

I commend the bill to the house. It is a further development of planning laws in this state that are designed to provide balance as well as the kinds of infrastructure, planning and development we need to ensure that Melbourne does not continue its sprawl.

Mr MORRIS (Mornington) — I want to initially come back to something the member for Bundoora said when he was talking about the Dispute Resolution Committee process that has led to the current form of this bill. He referred to it as a democratic process with equal numbers from government and non-government parties, but of course the government has the right to elect a chairman and the government has the casting vote. So no matter what quality of debate there has been — and I understand there has been some good discussion and good work done and some of the nasties have been taken out of the bill — it is a long way from being a democratic process. In fact it is about as democratic as the development assessment committees (DACs) are proposed to be.

The bill essentially is the death knell for community input into the planning process in the areas that have been nominated. It is a real symbol of the hypocrisy of the Australian Labor Party when it comes to local government, when it comes to local communities and when it comes to local interests. This is about getting

the message right and getting the process right to suit the message. It is about spin. It is about saying one thing and meaning a different thing entirely. The claim is, 'We are on side with the communities'. But the reality is that these are simply soothing words, lulling communities into a false sense of security before they are belted on the head with a blunt instrument.

This bill is a very blunt instrument. This is not calling in one application and this is not calling in two applications; this is calling in the whole planning process. It is taking the entire planning process away from local government and local communities. It certainly gives the lie to the government's claims of partnership with local government. Every significant application in every principal activity centre in 27 locations in the metropolitan area, plus the city of Geelong, will now be determined by a committee hand-picked by the Minister for Planning. The people who will dominate these development assessment committees will not be and never can be independent persons. They will be hand-picked to push through the government's agenda in this area.

Let there be absolutely no misunderstanding about that. You simply need to refer to the bill, in particular proposed section 97MK, which deals with the membership of the development assessment committees. The chair will be nominated by the minister from a list of persons that he has prepared under proposed subsection 3. Proposed subsection 3 requires the minister to, firstly, prepare a list of names, secondly, to consult with the Municipal Association of Victoria and the Victorian Local Governance Association, and then to make his own decision. So the VLGA and the MAV are told who are contenders for the position. That is the extent of their input. They have absolutely no right to say, 'Yes, we agree', or, 'No, we don't agree'. It is the minister's list, it is the minister's decision, and they are dragged in to dress up the process and to make it look respectable.

Two members will be appointed directly by the minister. So that is three out of five. Two members will be appointed by the local council, and they will rotate. I understand there might be, say, one DAC for southern metro and two councillors from Glen Eira, two councillors from Frankston, two councillors from Kingston, or whatever. Those two councillors are, once again, simply to dress up the process, because you could wait until hell freezes over before they have any influence on a decision. They are there as the scapegoats. They are there to take the blame. That is all they are there for. Who is going to pay for the process? Does anyone think the people who have lost their

influence over the process will be able to put the cost onto someone else? No, of course they will not.

I refer to proposed section 97MG at page 11 of the bill. To enable a DAC to decide on an application, the responsible authority — in other words, the council — has to provide not only the application but also a copy of comments from a referral authority. They have to do the referral to start with and then also provide a copy of a report from any member of their staff, any other document that is relevant and any other document or information that has been reasonably requested by the DAC. In other words, if they jack up and say, 'No, we are not going to do a report on this; we are not going to pay the officers to do these reports for someone else to make a decision on', the DAC can come back and say, 'Oh yes, you will anyway'.

The vast majority of the cost of the planning process is not the actual decision making. The costs are in officer time — the officer effort that goes into preparing the report and getting it into a form to go to the decision-makers. That cost will still be borne by the community.

The bill strips away any opportunity a citizen has to have an input into the bricks-and-mortar future of their community. In the second-reading speech the minister said the government is committed to strengthening confidence in decision making and to the state government playing a role in actively implementing state policies. If the government is that committed, why is it establishing these bodies? Why do we need to create another layer? Of course it is a tried and true formula, and it has been going on for the last 10 years. It is called the blame game. It is about making sure there is someone else set up to take the blame.

Many local councils are sick to death of being blamed. It has been standard government member policy. Any time an application comes up that the community does not like, government members say, 'Look, the council is dealing with that; we can't get involved' — and quite properly they should not. The refrain is, 'It is not our fault'. It is. The entire planning structure is a product of decisions of this government. The councils are simply charged with trying to knock the rough edges off and have some input. Once again statutory bodies are being set up in order to take the blame.

The planning system is certainly in dire need of an overhaul and of a refocus. There is now a huge number of development applications that are subject to appeal, and anyone who is involved knows that. This number of appeals did not occur 10 years ago. They did not occur in the past when the appeal processes were not

quite as effective as they are now. These appeals did not occur before the introduction of Melbourne 2030. It is only the government's meddling with the planning act, preventing people from having their say, that has caused this level of objection. We have a situation where local councils now cannot even commence a planning scheme amendment without the minister saying yes. Occasionally one slips through. The C87 amendment — the Mount Eliza woodlands amendment — is a classic example; the minister did not like the outcome so it simply sits on his desk and he does not approve it.

All the planning in this state is now occurring at 8 Nicholson Street. We have an epidemic, we have a tidal wave of objections, and the minister seems to have no idea what is causing it. But the solution advocated by the government, and this bill is living proof of that solution, is to strip councils of their powers, to put fees through the roof and to threaten objectors with costs in the event that they are unsuccessful — in other words, to try to scare them away from the process and to make it impossible for ordinary Victorians to have their views heard. That is the real message. That is the intent of the bill — to take the process out of the hands of the people; to set up a body to take the blame, take the fire and deflect the anger from the government; and to pretend, as we have heard in this debate again and again, 'Oh, we have got urban expansion; isn't it terrible?'. Yes, we do have urban expansion, because the government has set up the zones in that way. It has nothing to do with local councils; it has everything to do with the planning structure that has been set in place by this government. It is time the government stood up and took responsibility rather than trying to blame somebody else.

Ms MARSHALL (Forest Hill) — It is with great pleasure that I rise in the house to speak on the Planning Legislation Amendment Bill 2009 (No. 2). This bill will ensure that local councils and the state government alike will be able to balance local and statewide interests to make certain that essential infrastructure can manage the increasing growth of Melbourne over the next 20 to 30 years. Melbourne is a growing, successful, international city with a population that could exceed 5 million people by 2030. This growth, combined with the challenges of climate change, housing affordability and transport, requires decisive action. This government has always planned and made decisions for all of Melbourne, in partnership with local government, stakeholders and communities, in order to enhance Melbourne's highly valued livability.

The metropolitan planning strategy Melbourne 2030 is a Victorian government strategic planning policy framework. During this time span the population of the metropolitan area is expected to grow by a million people. The main elements of the framework are based on well-established planning principles and include reducing the proportion of new development occurring at low density on Melbourne's fringe from about 60 per cent of annual construction to 40 per cent, redirecting new development to defined areas of established inner and middle-ring suburbs and concentrating development within designated activity centres close to transport nodes. The policy places particular emphasis on the use of public transport over having car-based suburbs dependent on the private motor car and on reducing urban sprawl by establishing legislated urban growth boundaries with the aim of containing urban development and protecting from development areas of open space — known as green wedges — left between areas defined by the urban growth boundaries.

The existence of Melbourne 2030 gives the Victorian Civil and Administrative Tribunal the policy rationale to determine planning disputes in favour of developments that it judges to be in accordance with the metropolitan strategy's objectives. This policy was amended in late 2008 to become Melbourne @ 5 Million in response to increased population forecasts and an increased demand for housing. The update provisioned for an extended growth boundary and reinforces the aim of a multicentre metropolitan area by lifting the hierarchical level of six principal activity centres to central activities districts. The centres of Box Hill, Broadmeadows, Dandenong, Footscray, Frankston and Ringwood will thus have to provide similar services and functions as central Melbourne.

Population growth that exceeds the capacity of an area is simply overpopulation; it can be caused by a growth in population or by a reduction in capacity. Historically, spikes in population can cause difficulties in areas such as pollution and traffic congestion, which may be resolved or worsened by technological and economic changes. Globally the growth rate of the human population has been steadily declining. The last 100 years have seen a rapid increase due to medical advances and massive increases in agricultural productivity made possible by what is called the green revolution. The green revolution usually refers to the transformation of agriculture that has allowed food production to keep pace with worldwide population growth, in turn causing or allowing human population to increase. Overpopulation does not depend on the size or the density of the population but on the ratio of population to available sustainable resources. It also

depends on the means of resources used and distributed throughout the population.

It is terrific to see the response to the recommendations identified in the five-year audit of Melbourne 2030, which outlined the government's intentions for the following areas: transport and congestion management, sustainability and climate change, and managing urban growth. This bill's primary focus is to allow for the implementation and establishment of development assessment committees (DACs), to make amendments to the Local Government Act 1989 and to make unrelated amendments to the Docklands Act 1991, the Heritage Act 1995 and the Melbourne Convention and Exhibition Trust Act 1996. With regard to the DACs, these committees will be empowered to make decisions on certain planning application matters such as permit planning decisions for areas and matters of metropolitan significance and will comprise state and local government representatives who will need to adhere to effective and transparent probity provisions as set out in the legislation.

Currently, planning decisions can only be made by local councils and the Minister for Planning. The Minister for Planning has reiterated the fact that councils have been making decisions that are impacting well beyond their municipalities. Melbourne is a large, complex and interconnected urban region where decisions made in one part of the city can generate demands and have impacts in others, requiring greater focus to state planning policy in certain circumstances, which is precisely what the formation of DACs aims to do.

The formation of these committees will strengthen partnerships within state and local governments on projects of significance to both parties and make certain that decisions relating to these projects are looked at from both a local and a broader perspective. I embrace the chance that this bill brings for shared responsibility between the state and local governments, providing better decisions on planning permits. The Local Government Act 1989 will be amended to provide an exception from conflict-of-interest provisions resulting from a councillor being a member of a DAC.

The minister has commended the participation of local councils in the consultation process on this bill, and I join with him in that praise. The formation of DACs seeks not to intrude on local communities and diminish people's voices in their own communities but to bring about a better and more balanced decision-making framework.

In order to avoid confusion, the date referred to in section 9(1) of the Docklands Act will be removed by this legislation, allowing the Victorian Urban Development Authority to continue its involvement with the development of Docklands.

I welcome the amendment to the Planning and Environment Act, in legislation that has yet to come before this house, which will broaden the definition of 'growth area' as defined in section 46AP of the act. Allowing the minister to declare an area a growth area is advantageous as it allows local councils to deal with growth pressures more readily by allowing the state to direct resources to those areas.

This bill is a wonderful example of the Brumby Labor government's desire to continue to improve the planning system. It clearly demonstrates this government's willingness to work with local councils. It shows that the Brumby government is looking towards the future to ensure that Melbourne will continue to be the best place to live, work and raise a family. I commend the bill to the house.

Mr BATCHELOR (Minister for Community Development) — I would like to sum up on this important piece of legislation. In concluding the debate I thank those members who have made a contribution, in particular the members for Box Hill, Mill Park, Shepparton, Bundoora, Gippsland East, Macedon, Mornington and Forest Hill. This an important piece of legislation not only in terms of its substance and the government's clear determination to improve the planning process at the important parts of the urban fabric of the state but also by virtue of its arrival in this chamber through the Dispute Resolution Committee. It demonstrates the worth of the changes made to the Victorian constitution in 2003. It is the first piece of disputed legislation that has been taken to the Dispute Resolution Committee, and it has demonstrated that the process provided for in the constitution is both rigorous and enabling. It is a piece of enabling legislation that has brought to light planning realities not only to the opposition members on the Dispute Resolution Committee but also to those who are in the chamber at the moment.

We have heard in this debate that the government is committed to working with local government to make decisions on planning permit applications in areas and on matters that are of metropolitan, regional and state significance. We are not talking about localised and ordinary matters; we are talking about decisions that relate to areas that are of state, metropolitan and regional significance. Councils very often make decisions that are vitally important not only to their

locality, their suburb and their area but also to neighbouring municipalities, the region of the state they are in or even the state as a whole. What we are trying to do is to set up a partnership process between the state government and local governments to deliver good outcomes. We are doing this because there is currently no mechanism by which the state and local governments can effectively partner to make decisions on areas of shared interest or shared responsibility. It is about trying to address that objective and achieve a good outcome.

The Planning Legislation Amendment Bill 2009 amends the Planning and Environment Act to introduce a system of development assessment committees. These development assessment committees will be established to make decisions on particular classes of planning permit applications. The development assessment committees will comprise state and local government nominees. We believe through this partnering of good planning processes that we will get a much better outcome and a much more timely and consistent outcome.

The bill ensures the effectiveness and transparent probity of the development assessment committees, their members and the decisions they make. The bill amends the Local Government Act to ensure that the conflict-of-interest provisions do not prevent a councillor's membership of a development assessment committee. In essence these changes follow the government's response to a five-year audit of Melbourne 2030.

I am thankful for the contributions that have been made. I thank the participants on the Dispute Resolution Committee. I note there has been some suggestion of people wanting to step back or move away from what has been agreed and recommended. However, I note it has been supported at the Dispute Resolution Committee and will be supported in both houses of Parliament. That formal support is what counts at the end of the day. I recommend the bill to the house.

The DEPUTY SPEAKER — Order! The question is:

That this bill be now read a second time.

Those of that opinion say aye, to the contrary no.

Honourable members — Aye.

Mr Ingram — No.

The DEPUTY SPEAKER — Order! I think the ayes have it.

Mr Ingram — The noes have it. I call for a division.

The DEPUTY SPEAKER — Order! A division is required. Ring the bells.

Bells rung.

House proceeded to divide on motion:

The DEPUTY SPEAKER — Order! As there is only one vote for the noes, I declare that the resolution of the house is that the bill be now read a second time.

Mr INGRAM (Gippsland East) — As it appears that I am the only voice for the noes, I ask that my dissent be recorded.

The DEPUTY SPEAKER — Order! The dissent of the honourable member for Gippsland East will be recorded.

Motion agreed to.

Read second time; by leave, proceeded to third reading.

Third reading

Motion agreed to.

Read third time.

VICTORIAN RENEWABLE ENERGY AMENDMENT BILL

Second reading

Debate resumed from 2 September; motion of Mr BATCHELOR (Minister for Energy and Resources).

Mr CLARK (Box Hill) — The Victorian Renewable Energy Amendment Bill is a bill to provide for the transition of the Victorian renewable energy target scheme, generally known as VRET, to the commonwealth's renewable energy target scheme, generally known as RET. A renewable energy target scheme works by enabling businesses and others who generate renewable energy in accordance with the conditions of the scheme to issue certificates based on the amount of renewable energy they generate. They are then able to sell those certificates and thus gain an additional incentive to install the capacity and to generate renewable energy. They are in a position to sell their certificates to someone else because a renewable energy target scheme also requires wholesale

purchasers of electricity such as retailing companies to purchase a number of renewable energy certificates as specified under the scheme based on the amount of the electricity they purchase.

The number of certificates that electricity purchasers are required to purchase is specified under the scheme at such a level as is designed to achieve a total use of electricity from renewable sources equal to the percentage of total electricity use that the scheme seeks to achieve. The schemes also generally provide that those who are obliged to purchase certificates must pay a specified amount by way of penalty for each certificate which they are required to purchase but which they fail to purchase.

When we look to the specifics of the bill before us, it provides the mechanics for the cessation of the VRET scheme and for the transition of several aspects of it to the commonwealth's RET scheme. The bill removes the entitlement of participants under the VRET scheme to create Victorian renewable energy certificates after 31 January 2010. Certificates that are created in January 2010 will, in accordance with established practice under VRET, be able to be sold to and used by wholesale electricity purchasers to meet their purchasing obligations under the VRET scheme in respect of their 2009 electricity purchases. In other words, 2009 is effectively the final year of operation of the VRET scheme and the commonwealth scheme is intended to take over in 2010, but in accordance with established practice there is this one-month buffer allowing the Victorian scheme purchasers to acquire the certificates that they are obliged to acquire. The bill then removes the obligation on VRET participants to surrender renewable energy certificates to meet their VRET scheme targets from 2010 onwards, and that of course is because the commonwealth scheme is taking over and the Victorian scheme is ceasing. The bill also enables accredited power stations and other registered persons to create certificates under the commonwealth scheme from February 2010 onwards. Separately the commonwealth legislation will enable unused Victorian certificates to be exchanged for commonwealth certificates, and it will also deem participants under the VRET scheme to be participants under the RET scheme.

The original commonwealth RET scheme, which was known as MRET, or the mandatory renewable energy target scheme, was introduced by the Howard federal government. A revised commonwealth RET scheme was recently passed by the commonwealth Parliament with bipartisan support after the coalition parties were able to secure various amendments, principally to protect the position of energy-intensive trade-exposed

industries. This revised commonwealth RET scheme sets a target of 20 per cent of Australia's energy coming from renewable sources by 2020, according to a media release put out by the commonwealth Minister for Climate Change and Water, Penny Wong, on 19 August.

The reason the government has introduced a renewable energy target scheme is to promote the greater use of renewable energy, principally with the aim of reducing greenhouse gas emissions. Once one accepts the prevailing scientific assessments and advice about increasing levels of carbon dioxide and other greenhouse gases in the atmosphere and the projected climate change and other environmental effects of those increasing levels, then dramatic reductions in greenhouse gas emission levels need to be achieved within a short time frame.

Renewable energy sources, including solar, wind, geothermal, tide and others, have the potential to play a valuable role in achieving those reductions in emission levels and to place human energy use on a sustainable basis. The Victorian coalition parties support the widest practicable use of renewable energy sources that will contribute efficiently and effectively to reducing greenhouse gas emissions. We supported the Howard federal government's solar panel rebate scheme, we supported assistance to establish solar-generating plants in Victoria and we strove hard to secure worthwhile improvements to the Victorian premium solar feed-in tariff scheme.

There is a range of views that various participants in public debate have about the role to be played by a renewable energy target scheme in relation to climate change. Those views range from having it as an indispensable ongoing requirement in addition to a general emission limitation scheme to having it as a transitional mechanism to be phased out once a general emission limitation scheme is fully operational through to having a technology-neutral approach, such as a general emission limitation scheme, without a renewable energy target scheme as the best way of involving renewables in the contribution to emission reductions. However, there is general agreement that whatever RET scheme is put in place should preferably be at a national level rather than at a state level, both to maximise the effectiveness of the scheme and to ensure that participants in what is increasingly a national electricity industry are able to operate under a common regime across the nation.

The move to a national level is particularly important because of the chronic failure of the Bracks and Brumby governments to deliver on their promises in

relation to renewable energy. The VRET scheme is yet another example of the gap between rhetoric and reality when it comes to renewable energy. We saw just a few weeks ago the Essential Services Commission release the 2008 annual report on VRET. That report shows that in 2008 VRET achieved only 125 060 megawatt hours of renewable energy use, which is to be compared with the 193 000 megawatt hours of renewable energy use that the scheme was supposed to achieve. In other words, in 2008 the VRET scheme had a shortfall of more than 35 per cent on the renewable energy use that the government had been boasting the VRET was going to achieve.

When it was enacted in 2006 the government was boasting that it would increase the share of Victoria's electricity consumption from renewables to 10 per cent by 2016, yet just two years into its operation it was falling short of the target for that year by more than 35 per cent. There was a shortfall of around 67 200 megawatt hours because, instead of buying certificates for the 493 000 megawatt hours of renewable energy as was required by the scheme, electricity retailers and others chose to pay the default penalty and thereby gave a windfall to the state government of around \$2.95 million in penalties, paying a penalty at the rate of \$43.90 per megawatt hour shortfall. This was a nice little earner for the Brumby government, but it showed that VRET was failing chronically in delivering on what the government had trumpeted so loud and long that it was going to achieve by VRET in terms of the promotion of the use of renewable energy in Victoria.

We have seen a similar gap between rhetoric and reality in relation to solar feed-in tariff legislation, which promised one of the highest feed-in tariff rates in Australia, but then the government produced a scheme which was riddled with the sneaky qualifications and restrictions. Similarly we saw the government promise to give Victoria a world-leading solar-generating industry and then stand by ineffectually as the Solar Systems project so tragically fell apart.

With wind energy the government promised a vibrant manufacturing industry based around the construction of wind farms in Victoria, and then we saw the reality of a struggling industry and undelivered promises. We have also seen the government impose wind farms in inappropriate locations against strong community opposition and despite there being many available locations across the state where wind farms would be both appropriate and welcome. The coalition parties strongly support the establishment of wind farms in those sorts of locations, but they do not support them

being imposed on local communities where they are intrusive on landscapes and the amenity and quality of life of their neighbours.

Both on general principle and having regard to the chronic failure of the Brumby government to deliver on its rhetoric regarding renewable energy, the coalition parties believe the commonwealth government is far better placed to run a RET scheme than is the Brumby government. Accordingly we are pleased to support this legislation.

Mr HARDMAN (Seymour) — I rise to support the Victorian Renewable Energy Amendment Bill. The overall objective of this bill is to make legislative amendments to the Victorian Renewable Energy Act to support the expansion of the commonwealth's renewable energy target, known as the RET scheme, and to facilitate the transition of the Victorian renewable energy target scheme to the commonwealth's renewable energy target scheme.

The amendments to the Victorian Renewable Energy Act 2006 will provide for the end of certificate creation under the VRET (Victorian renewable energy target) scheme after 31 January 2010 and will maintain the liability on energy retailers to acquire certificates under the VRET scheme until 2009, after which the liability will be removed.

This bill is a great bill. It expands on the government's great work in renewable energy in this state. While I am thinking about it I will respond to the member for Box Hill, who talked about the opposition's support for renewable energy, in particular wind energy. I must say that I do not know of any places for wind farms in this state that the opposition has supported, because unfortunately somebody's amenity or somebody's landscape will always be destroyed or impacted on by a wind farm. Every time the opposition ends up joining in the campaign against the government and what it is trying to do, which is to reduce the impact of greenhouse gases on our state and our country and meet our obligations to the rest of the world to reduce climate change.

Under the VRET scheme a target of 10 per cent of Victoria's electricity generation was to be met from renewable energy sources by 2016. The VRET scheme has provided the necessary incentive for substantial investment in renewable energy generation in Victoria since it was announced in 2006. There are examples of major developments under VRET, including a new hydro-power station at Bogong, which is providing 140 megawatts, and new wind farms at Waubra, providing 142 megawatts, Portland and Cape

Bridgewater, providing 58 megawatts, and Cape Nelson South, providing 44 megawatts.

In 2008 the Victorian government welcomed the new commonwealth Labor government's commitment to increasing the commonwealth renewable energy target to 20 per cent by 2020. That is going to make a difference to what we are doing. The work that has been done by the Department of Primary Industries shows that at the end of this time Victoria will have doubled the renewable energy produced from what had been achieved under the Victorian renewable energy target. It is a more ambitious target and one that all of us would be proud to support. I am pleased to hear that, by the sound of things, the opposition is supporting this bill as well.

The Victorian and commonwealth governments commissioned separate electricity market modelling which forecast that Victoria will receive double the amount of investment in renewable energy, which is a fantastic outcome for us. The expanded renewable energy target will accelerate the deployment of renewable energy technologies such as wind, biomass and geothermal technologies and will increase the existing renewable energy target more than four times to 45 000 gigawatt hours in 2020. This will contribute to meeting Australia's targets for the reduction of greenhouse gas emissions. It will also provide incentive to accelerate the uptake of Australia's abundant renewable energy sources, which include solar, wind and geothermal energy.

The transition will reduce red tape by bringing existing state-based targets into a single national scheme. Instead of having a different scheme in every single state, we will have a scheme that covers the whole nation, so industry and corporations will know there will be consistency when they go from state to state. Therefore they can make plans and not have to redo their work to meet the needs of each individual state.

Currently entities such as energy retailers and large wholesale users of electricity may be liable to meet independent obligations to acquire and surrender renewable energy certificates under both the Victorian and commonwealth schemes. The transition will remove duplication between the state and commonwealth schemes and reduce the regulatory burden for participants.

The expanded renewable energy target scheme recognises the same renewable energy sources that are eligible under the Victorian renewable energy target, such as hydro, solar, wind, biogas and biomass energy. However, the expanded renewable energy target

scheme will also include solar hot water, wood waste from native forests and waste coalmine gas, which are not included in VRET. I think that will give us greater opportunities to expand our renewable energy. It also takes note of practices occurring in other countries around the world that are trying to tackle climate change and reduce our greenhouse emissions as much as possible.

As I said, the modelling commissioned by the Department of Primary Industries shows that we will double large-scale renewable energy investment by 2020. I think that is fantastic, and we should therefore strongly support any changes this bill suggests. I look forward to the legislation we are about to pass coming into effect.

The Brumby government has embarked upon a number of initiatives in the renewable energy portfolio since it was elected. Those initiatives include the 60-cent-per-kilowatt-hour net feed-in tariff for household solar photovoltaic installations. That industry seems to be powering along as people are looking to reduce their carbon footprints by taking action in their own homes. That is marvellous, and it is great that the government is facilitating that in a responsible manner through its net feed-in tariff. We have also provided \$100 million for a large-scale solar power plant to be built in Victoria by 2015. Again, we have great natural sunlight, particularly north of the Great Dividing Range where just about every day is a beautiful day — and many of us here in this chamber live in those areas because we really like that sunshine.

There is \$72 million for the energy technology innovation strategy — or ETIS as it is otherwise known — large-scale renewable energy fund to try to give people incentives to invest in renewable energies that may or may not be able to get off the ground otherwise. Our government leads by example, purchasing 25 per cent of its electricity from GreenPower, which is a great financial commitment by the state. Obviously we have to make decisions about how we spend our taxpayer dollars, and that is the figure we currently have for purchasing GreenPower from the grid.

I commend this bill to the house. I do not think it could come soon enough. This is a very important issue, and it would be great to give the renewable energy industry some certainty going forward, particularly in this area. I look forward to further legislation, such as the commonwealth carbon pollution reduction scheme, which will again help to make sure that we in Australia are pulling our weight in reducing our greenhouse emissions.

Mr CRISP (Mildura) — The Nationals in coalition are supporting the Victorian Renewable Energy Amendment Bill 2009. The purpose of the bill is to provide for the transition of the Victorian renewable energy target (VRET) to the commonwealth renewable energy target scheme. The bill's main objectives are to remove the entitlement to create Victorian renewable energy certificates for electricity generated by accredited power stations or small generation units after 31 January 2010, to remove the obligation of VRET participants to surrender renewable energy certificates to meet the VRET scheme targets from 2010 onwards and to enable accredited power stations to register persons to create certificates under the commonwealth scheme from 1 February 2010. The commonwealth legislation will enable the Victorian certificates to be exchanged for commonwealth certificates, and it will deem Victorian renewable energy target participants to be commonwealth renewable energy target participants.

There are a number of issues with renewable energy, and I will work my way through those. Victorians are slowly embracing renewables. Many groups have been formed to support renewables, and all of us would have a buyers group or an advocacy group in our electorate. We also have a number of people who are home generating by one means or another, principally through rooftop photovoltaics.

But if we are going to go anywhere near this target of 20 per cent renewables by 2020, there will be a need for large-scale generation. One such project is in Mildura, which was the 154-megawatt \$420-million Solar Systems project; \$125 million was from the state and federal governments. It is in administration at the moment; it has struck problems. Only \$500 000 from the state government has been drawn down.

Those milestones that were in place to free up the Victorian government money are an issue. If the Victorian government does not act to do something with this project, we risk considerable losses for Victoria and the renewable energies which we desire. We will lose intellectual property, we will lose the research and development effort and skills and we will lose jobs, which will probably go overseas. This is highly saleable technology. The last thing we want is to see our technology going overseas and to have to buy it back later. Pioneering renewable technologies is different.

As mentioned by the member for Box Hill, there are also special arrangements within this for transitioning the Victorian renewable energy certificates to be surrendered or transferred to become commonwealth

renewable energy certificates. The shortfalls for certificates are managed in clauses 7 and 10.

In the renewable energy field there is an overlapping landscape for large-scale renewables. That is evident when the federal scheme closed in April. The Minister for Energy and Resources offered \$100 million for the project to the syndicate that was successful in bidding to build its power station in Victoria. However, those in the commonwealth scheme were to have their applications in this week for the Victorian component. I understand the closing date has been extended. I do not know why; an explanation is required. April to September is a long period of time.

In the federal budget the Solar Flagship program was announced with \$1.6 billion for large-scale renewables in Australia. This is a lot of investment, but I estimate Australia will need to add about 1000 megawatts of renewable energies per annum to reach the federal target of 20 per cent renewables by 2020. One thousand megawatts of renewable energy for 11 years nationwide is an enormous task. Some of that will be found by efficiencies; some of that is going to have to be found from solar wind, hydrothermal power, geothermal power, fuel cells, tidal energy and others. With such a great challenge ahead, an advanced project like that of Solar Systems needs to be maintained. Mildura, Victoria and Australia cannot afford to lose this particular technological initiative in renewable energies.

There is no location preference specified at this stage for the federal amount of \$1.6 billion. It could be spent all in one state. If that is the case, Victoria faces a considerable threat from Queensland for an area from Longreach to Mount Isa which has a better solar contour than we do in Victoria. Currently Rod Sims's review of the North Queensland distribution systems could well remove a major impediment for inland solar power stations being grid connections. Also coal seam gas which is available in that area offers solar thermal baseload capacity. Victoria needs to use cooperative federalism to ensure Victoria gets part of those \$1.6 billion Solar Flagship program dollars.

They are out there writing the recommendations or guidelines now. Someone needs to be on the phone making sure it gets divided up. It is not for me to give the government advice, but the four states, Queensland, New South Wales, Victoria and South Australia, could each get \$400 million, which neatly adds up to \$1.6 billion. Someone needs to get on the phone to make sure that Victoria is guaranteed at least one of those projects. Otherwise we are going to be big-time

losers because we could end up with those power stations being located in Queensland.

I estimate the Victorian government has a consumption of around 350 megawatt-hours per year. How much green power will the Victorian government want? The relationship between the renewable energy certificates (REC) and emission trading scheme (ETS) is interesting. Can they coexist or will the ETS replace the REC? What impact will this have on Victorian industries? Investments in renewables will require the REC or the ETS to be clarified.

When we look at this issue we see the cost of renewables. The normal understanding is that hydro power has some issues. Because of the drought our hydro capacity is limited. Wind power has planning issues and solar power has fewer planning issues. I think the future is in solar power to meet that huge requirement of energy. To start a large scale power station as a renewable power station, you must be able to sell the output. The last time I checked, Spanish plants run at about 42 Australian cents per kilowatt hour. The government needs to front load the projects with capital to make these projects viable.

Consumers are not going to pay the high cost of renewables in the initial years. State governments have two choices: either pay a subsidy on the output, which is an ongoing commitment, or front load with capital to affect the capital expenditure equation so that the power is affordable to customers. If it is not affordable to customers, then Victorian industry or Victorian families will be damaged. Thus the state government has put \$50 million into the Solar Systems project and \$100 million into the next project. The federal government put \$75 million into Solar Systems as well. There is \$1.6 billion for the Solar Flagship program. Even with the front-end loading of capital, power supply agreements are needed with major retailers for customers to be able to take up renewables. Those retailers need customers to buy renewables.

The energy sector has complex engineering and economic issues. The coalition has been supporting the bill, because national renewable energy certificates have always been our preferred model. If or when the government imposes an ETS, it can best resolve the problems of untangling a residual renewable energy certificate program with an ETS or managing their coexistence. If Victoria had remained separate and not passed this on to the federal government or had the federal government accepted it, then whatever the federal government did nationally with an ETS would have penalised the Victorian industry while we unscramble the VRET scheme. That is why we are now

supporting the scheme. We have always supported a federal scheme, and we had grave reservations about Victoria going it alone.

To wind this up, the key issues with renewable energies are the cost and the \$1.6 billion in the federal government's Solar Flagship program. If the Brumby government does not extract an assurance from the commonwealth regarding one of the major renewable energy projects in Victoria, then it is not serious about renewable energy or lowering its carbon footprint. It needs to act, and it needs to act now while the rules are being written.

Mr CARLI (Brunswick) — It is with great pleasure I rise in support of the Victorian Renewable Energy Amendment Bill. This is an important bill, because climate change is probably the biggest issue that is confronting the world at the moment. It is critical that we stabilise the climate by reducing our carbon footprint and reducing the amount of carbon dioxide in the atmosphere. Energy being the largest source of greenhouse gas emissions, it is crucial that we act on the issue of carbon emissions from the production of energy.

I was pleased to hear the member for Mildura support a federal scheme. It is a pity that in 2007 the Howard federal government refused to support a national renewable energy scheme. Victoria had to go down its own path — the Victorian renewable energy target (VRET) path. It had to act responsibly in spite of the federal government's refusal to acknowledge the importance of climate change and the need to reduce carbon emissions. The Victorian government welcomed the new federal government's 2008 commitment to 20 per cent of energy being generated from renewable sources by 2020. That is an increase; VRET had a target of 10 per cent, and 20 per cent is a considerably larger target.

As previous speakers have indicated, this means there will need to be further investigation into and promotion of renewable energy in Victoria. There are issues about improving the technology, technology transfer, research and development and capital investment. VRET has seen major investments, and we will see more investments as a result of the commonwealth's renewable energy target (RET) scheme.

The Brumby government has been a major proponent of renewable energy, not just through VRET but through other schemes that directly target the introduction of renewable energy. Recently in this house we debated the introduction of a 60-cent-per-kilowatt-hour net feed-in tariff for

households using photovoltaic installations. I supported this important initiative whereby households can reduce their carbon footprints. However, if renewables are to have a 20 per cent share of the energy market by 2020, we clearly need larger projects. For example, the Victorian government has already committed \$100 million in funding for a large-scale solar power plant to be built by 2015 and \$72 million for the energy technology innovation strategy, which will fund large-scale renewable energy projects. It also ensures that 25 per cent of electricity purchased by the Victorian government and its agencies comes from GreenPower.

The Victorian government has acted appropriately and responsibly. It is fantastic that there is now a cooperative relationship with the federal government, that we can now move beyond the Victorian renewable energy target established by the Victorian Renewable Energy Act 2006 and look at having a national scheme and encouraging investment in renewable energy in Victoria.

The VRET scheme was initially modelled on a commonwealth scheme, the mandatory renewable energy target scheme, which commenced in 2001. It enabled certificates to be created for the generation of electricity from renewable energy, required liable entities such as electricity retailers and large wholesale users of electricity to buy certificates to meet their share of the scheme target and provided a penalty for liable entities for any shortfall in meeting their scheme liabilities. It ensured that retailers and producers of electricity were responsible.

Unfortunately in 2007 the then commonwealth government dropped the bundle and decided that the mandatory scheme would not be continued. Victoria then decided, I think quite appropriately, to go down its own path to ensure that we went beyond the previous national target of 3 to 4 per cent renewables to a target of 10 per cent. As we have seen, that has now increased to 20 per cent as a result of the new commonwealth government deciding to be involved and create its own scheme. I must say VRET has been successful in Victoria in terms of driving projects — for example, the new hydropower plant at Bogong and the new wind farms at Waubra and Portland. Other projects are in the pipeline. They are being organised and are coming on line. It is important to ensure that we are responsible and meet these targets.

Given the upcoming Copenhagen round of discussions about global warming and targets for reductions in carbon emissions, it is critical that we pursue an

increase in renewable energy, develop the technology and utilise Australia's bountiful sources of renewable energy, such as wind and solar power, and tap geothermal and other renewable energy sources. We have to realise that Victoria has a level of vulnerability. We overwhelmingly produce our energy from brown coal and, as we know, brown coal is the worst in terms of carbon dioxide production. These issues of renewable energy are particularly pertinent to Victoria and demand strong action by Victoria.

Victorian households are expected to pay on average an additional \$4 per week for the expanded RET scheme between 2010 and 2020. Households will still be required to pay for the additional costs of the expanded RET whether or not they are VRET transitions. By rolling VRET into the RET scheme, the cost to Victorian households is reduced because they will only have to pay for one scheme. As the member for Mildura mentioned in his contribution, the reality is that the cost of production of electricity from renewables as it stands at the moment is considerably more than the cost of baseload electricity from brown coal.

We have to be aware that there is a cost associated with this transition, but there is a bigger cost if we do not make the transition. There is a bigger cost to us as a society and to the world if we do not move towards a low carbon economy. The transition to a low carbon economy is a big challenge for Victoria, probably more so than in other states and even other countries because of our dependence on brown coal.

With VRET and the Victorian government's commitment to it we have seen a sizeable improvement of investment in renewables in the state. That is going to accelerate. There is no doubt that by moving towards a 20 per cent target we will see, as the modelling has illustrated, a doubling of investments in Victoria in terms of renewables. This is not only a question of investment; it is also a question of technology transfer and research and development.

The member for Mildura in his contribution talked about a solar project in Mildura that is in quite a bit of difficulty at the moment. One would hope that project moves to fruition, but part of that development includes an enormous amount of development and utilisation of technologies.

We are in a critical moment in terms of the history of this state. I believe this amendment builds on a very strong commitment by the Brumby government to increasing the amount of renewable energy produced in Victoria and a reduction in the carbon footprint of Victorians. I wish this bill a swift passage.

Mrs FYFFE (Evelyn) — Energy is so much a part of life that we often use it without thinking, especially when it is in the form of electricity. Most electricity in Australia comes from burning fossil fuels like coal, gas or oil. It is fundamental to the quality of our lives. Today we are totally dependent on an abundant and uninterrupted supply of energy for living and working. It is a key ingredient in all sectors of modern economies. While a supply of energy is important, the source of our energy is becoming more and more important. The reliability of supply at all times is essential to maintaining our standard of living, and renewable energy will assist with this reliability.

The purpose of the Victorian Renewable Energy Amendment Bill is to facilitate the transition of the Victorian renewable energy target scheme (VRET) to the commonwealth's expanded renewable energy target scheme (RET). The bill provides for the end of certificate creation under the VRET scheme; the removal of the liability on energy retailers to acquire certificates under the VRET scheme; and, together with the amendments to the commonwealth scheme, recognition of VRET certificates under the expanded RET scheme and recognition by the expanded RET scheme of VRET scheme accredited power stations.

As agreed at the Council of Australian Governments meeting on 30 April 2009, the expansion of the commonwealth's renewable energy target scheme will seek to increase renewable electricity generation in Australia to 20 per cent of the total electricity generation capacity in Australia by 2020. In 2007 it was the Howard government that led the charge to set a target to derive 15 per cent of our energy from clean sources by 2020 and to keep Australia at the forefront of international efforts to combat global warming.

The RET is expected to accelerate the deployment of renewable energies in Australia, and these include solar, wind, wave, geothermal as well as clean coal. The Energy Supply Association of Australia represents electricity and natural gas businesses that own and operate some \$121 billion in assets, employ over 40 000 people and contribute \$14.5 billion to Australia's gross domestic product. But less than 2 per cent of primary energy consumption currently comes from renewable energy sources in Victoria.

The reliability of supply is about having both sufficient generating capacity and a reliable distribution network to provide that power. Consumers are always annoyed when an outage occurs; they will be doubly annoyed if they are paying a premium for a product that is not delivered. The increased cost of electricity due to the

renewable energy certificate system must be met with a proportionate increase in distribution and reliability.

Renewable energy is something that residents in the Yarra Ranges are becoming increasingly committed to, with many deciding to install solar panels at a local level. More people should be encouraged to use renewable energy. It could have the ability to distribute energy in a micro-network to provide basic facilities such as light, the operation of small pumps for those on tank water or domestic fridges to keep food cool during a major power outage.

Areas such as the Yarra Ranges continue to face power outages. Although many of the outages are created by storms and even bushfires, the issue for my residents is the speed with which they are reconnected. At home I use tank water and rely on an electric pump to transport water through the pipes. During one outage in April last year I was forced to go without a shower for far longer than is desirable. But I was not the only one; many of my neighbours and residents through the Yarra Ranges use tank water that relies on electric pumps. I know people in the city who complain if they are without power for a single night. I am sure that if a minister's office was without power for four days, the government would be quick to act.

Sandra Wollberg of Seville, which is in my electorate, is a paraplegic who relies on an inflatable air mattress to relieve painful pressure sores. The bed requires a constant power supply to stay inflated. During the extended heatwave in February this year, which resulted in a series of power outages over four days, her air bed deflated, putting her at risk of serious health complications. There is something very wrong in Victoria when a person's health is put in jeopardy because of electricity supply issues.

On Tuesday, 18 August, the Lilydale State Emergency Service unit was the busiest unit in Melbourne, with 335 call-outs for storm damage. Wind gusts of around 100 kilometres per hour brought down trees and powerlines in Lilydale, Chirnside Park and Mount Evelyn, resulting in more than 80 000 houses across the state losing power. Approximately 500 homes were still not reconnected by the Wednesday evening. More than 3000 houses were without power again over the weekend as wild weather struck Melbourne on Friday. By 3.00 p.m. on Saturday there were still around 300 homes in Lilydale and surrounding areas without power.

I was fortunate to be at a concert at Domain Chandon, as was the member for Seymour. It was a fantastic and beautiful concert with a soprano, tenor and a very

accomplished pianist. I think there were six occasions on which the power went out while they were performing this concert. These are the things that are affecting so many lives. The concert continued through the evening, and I suppose it added to the atmosphere of the night and encouraged the enjoyment of people who attended. But it must have been very disturbing for the artists.

I return now to a discussion about energy in general. A number of residents have contacted my office over the last 12 months seeking assistance to get them out of energy contracts they feel they have been unfairly coerced into signing by retailers using high-pressure selling techniques. Some of the residents have been preyed on, to use a resident's terminology, because they are dealing with marriage breakdowns or disabled children or because they are elderly.

While the energy and water ombudsman has done a fantastic job helping these families to amicably terminate their relationship with the offending retailers, there are many I am sure who do not have the confidence to contact their local member of Parliament for assistance and so remain with the new energy retailer, resigned in the belief that there is nothing they can do. More needs to be done by the government to educate residents about their rights with utility companies.

Currently there are overlapping state and federal renewable power programs, in particular the current round of federal funding for renewable energy. The Victorian government will provide \$100 million of assistance for a large-scale solar power plant, with a recently extended closing date. In its last budget the federal government announced funding of \$1.6 billion for its solar flagship program. There is concern and confusion in the solar industry about how these programs interlock. Such an important initiative should have been handled much more smoothly.

A high-level ministerial brief leaked to the *Age* was the subject of an article entitled 'State cabinet considers futility on emission targets' which was published on 24 March 2009. It reveals that the government's policies will make little difference to Australia's carbon reduction plans. The brief advised that the state government rethink key environmental policies and programs, including subsidies for solar panels and solar farms. The logic was that voluntary actions by homeowners ultimately ease the pressure on big polluters to cut emissions. It creates the impression that the government is acting on an area that has generated

considerable public anxiety when all the while it is doing the barest minimum to help our environment.

Notwithstanding the late hour, last night I was reading the bill. Clause 7 appears to be very convoluted. It substitutes a new section 27 of the principal act. Subsection 1(a) reads:

- (a) in the case of electricity generated before 1 January 2009— at any time after the generation of the final part of the electricity in relation to which it is created and before the end of the year after the year of generation ...

Subsection 1(b) states:

- (b) in the case of electricity generated on or after 1 January 2009— at any time after the generation of the final part of the electricity in relation to which it is created and before 1 July 2010.

As Rove says, 'What the ...?'. While this wording may be easy to understand for those who make the law, we must be mindful of the need for the laws to be easily understood by those who enforce and abide by the laws. It is an important skill that prevents confusion down the track.

We have had 10 years of this government now, and it is tired and out of ideas. Perhaps it needs to be plugged into a socket to help it give the impression it is awake to what is happening around it. Renewable energy is important to people, not just because it is cleaner but also because it will help to ensure a future energy supply for our children. We saw with the solar feed-in tariff bill the government's half-hearted attempt to encourage people to take up solar power which would assist in feeding more energy back into the power grid. That is simply not enough.

Energy security underpins economic prosperity at every level — for the nation, the state, the region, the industry and the householder. If we do not have the energy, our economy cannot thrive. The degree of interconnection between these two forces is undeniable. A strategy should already have been developed by this government to secure our energy well into the future, but it appears the government's mine of ideas is now well and truly dry. I truly think this government has run its course.

Mr SCOTT (Preston) — It gives me great pleasure to rise to support the Victorian Renewable Energy Amendment Bill 2009, which is a bill for an act to amend the Victorian Renewable Energy Act 2006 as a result of the expansion of the commonwealth's renewable energy target scheme and for other purposes.

First, I would like to state that I think this debate should be held in the context of the debate on global warming; otherwise the debate is effectively meaningless. I believe that climate change is man made and that human beings can take action to deal with its impacts and prevent runaway climate change while preserving economic growth. In fact meeting those three goals is vital to the future not just for Victoria but for the entire world. I believe this is only possible through actions which reduce the amount of gases which produce climate change, particularly carbon.

In that context power generation is at the heart of any response to global warming. Global warming is a great threat to the viability of modern Western capitalism. Global warming raises the old Malthusian arguments about limits of growth, limits of human beings' ability to continue to produce more with less, limits on our ability to live the sorts of lives we have been living, limits on our ability to produce a more materially wealthy future for our children and our children's children, and the very viability, ultimately, of the sort of civilisation we have. These sort of arguments have been had before.

Human beings have responded to issues such as sulphur pollution — so-called acid rain — and we have also responded in ways which have reduced the impact of pollution. In fact apart from CO₂ and climate change-related pollution, there has generally been a reduction in pollution as societies have become wealthier and able to afford to create systems which deal with pollution and create the right sort of incentives to prevent pollution. In that context I think we should see renewable energy targets as effective belt-and-braces models for dealing with climate change in conjunction with systems of carbon trading, which put a price on carbon and allow incentives for innovation and the technological changes that are required to lower carbon production related to our economic growth.

I believe it is possible to reduce carbon pollution and to increase economic growth. It has certainly been the experience of a number of European countries that they have had pretty strong rates of economic growth while at the same time reducing the release of carbon dioxide into the atmosphere.

These are important issues, in fact almost existential threats to our society. We often talk about them as serious issues, but it is good to see an act that deals directly with these issues and ensures that Victoria is doing its part in cooperation with the commonwealth government to respond to climate change by promoting renewable energy.

The bill's purpose is to facilitate the transition of the Victorian renewable energy target — the VRET scheme — into the commonwealth expanded renewable energy target scheme, or RET. This transition was agreed on 30 April 2009. The expansion of the commonwealth's renewable energy target scheme will seek to increase renewable electricity generation in the commonwealth to 20 per cent of electricity generation capacity in Australia by 2020.

The VRET scheme was an initiative of this government and was established with the purpose of encouraging investment in renewable energy generation in Victoria. It has had some notable successes, including major development such as the new hydropower station at Bogong and a number of new wind farms, including those at Portland and Cape Nelson. These have been outlined by previous speakers.

This is a critical issue. We have had a successful scheme that has been creating opportunities for greater investment in renewable energy and has been working towards a target of 10 per cent of Victoria's energy generation being met from renewable sources by 2016. However, as with the previous bill we were dealing with this week, these issues are best dealt with on a national level. Victoria is about 25 per cent of Australia's economy, and it is best that these things are dealt with at the national level.

Indeed in an ideal world — and I hope the Copenhagen talks are successful — these sorts of issues would be dealt with successfully at an international level, and it is vital that they are. It is often said that because of the size of the Australian economy and the size of Australia's contribution to carbon dioxide emissions it is pointless for Australia to take action. I think that is a morally bankrupt position. It essentially suggests that because Australia's contribution is of a nature that even if it were appropriately addressed that would not solve the whole problem, we should do nothing. That is a ridiculous position and one that persons in this Parliament should not hold.

Coming back to the bill, it is important that the issue be dealt with at a national level. This bill provides for that. It provides in effect a referral to the national scheme, which has a higher target of 20 per cent. That is an appropriate way of dealing with the problem. I am glad to see it has the support of opposition parties. I note, though, that there seems to be some confusion within the ranks of the Liberal Party and The Nationals regarding dealing with these issues. I hope the major political parties in Victoria will not only support a bill like this but will also support a carbon trading scheme. I commend the bill to the house.

Mrs VICTORIA (Bayswater) — I rise to speak on the Victorian Renewable Energy Amendment Bill, and I am pleased to do so. Needless to say, along with my colleagues I support the bill. The bill essentially allows for the transition from the Victorian renewable energy target, which we currently have in our state, across to a commonwealth scheme, which is going to be known as the renewable energy target, or RET, scheme.

It is timely for this to happen. We are so often educated about how we should be environmentally friendly, and I know most people try to do their bit. I think very few people have not managed to get it through their heads that we need to be thinking long term about the planet rather than the here and now. I would imagine that in their homes most members of the house have, as I have done in my place, replaced light globes with energy-saving light bulbs and have tried to educate their children about being energy efficient and conservationists and about turning off the lights and making sure they are doing everything right.

We have fantastic education for young kids at school. They do lots of brilliant projects about energy, about the planet and about thinking long term, and there are other incentives and schemes around for us to help take it that step further. There was the solar panel subsidy scheme, which I would like to see brought back and expanded considerably. Earlier this year in this Parliament we debated the solar feed-in tariff bill, which was passed after some negotiation about what was to be included in that. I would imagine that most Victorians would have insulation in their homes, which is another way of being energy efficient.

I will give an overview of the bill. It removes the entitlement to create Victorian renewable energy certificates for electricity generated by accredited power stations here in Victoria or small generation units after 31 January next year. It also allows unused certificates to be rolled over to the federal scheme, and that type of thing.

There are plenty of naysayers in this debate, not necessarily in this house but certainly out there in the community. There are those who do not believe, as they say. A lot of people would say that mandatory requirements are probably going a little bit far. The target is 20 per cent of energy by renewable sources by 2020. I think that would be quite achievable. Renewable sources of energy could be anything from geothermal sources to wind farms to all sorts of different things including bioenergy, which I think is an interesting fact. Our largest renewable energy producer in this state is covered by the bioenergy scheme. Instead

of being one of the energy producers like a dedicated power station and that sort of thing, this company is the Maryvale pulp mill near Traralgon in the Latrobe Valley. It makes its own energy and transmits some back into the grid, which so many of us would like to be able to do at home.

I grieve for the fact that last week Solar Systems announced that it would no longer be able to build the largest solar energy plant, which was earmarked for northern Victoria. It was going to be the world's largest solar power station. The problem was that the investors were not there to back new technology of this size. In a time when we are so cognisant of what we can all be doing for the planet and to move forward, it is sad that industry and big business and those who have the dollars have not seen how worthwhile this type of project could have been. It was estimated that the power plant could have produced something like 270 000 megawatt hours each year. That is the equivalent of being able to have power for 45 000 homes. That was a pretty sad day for us when we had not quite come along that far.

But who knows? There was a promise of I think \$125 million by the former Bracks government to help this project along, and the Howard federal government chipped in as well. There was also the Hong Kong energy company, China Light and Power. All that was needed was another \$50 million to \$100 million to get the power plant up and running, but regrettably that was not able to be done. That was a pretty sad day.

What we are doing with this bill is bringing the Victorian scheme into the federal sphere and having one national RET scheme. That is probably a very wise move. These types of things cannot and should not be dealt with at a local level; they are things that need to be talked about on a national basis. Australia plays a very small part, if you like, in energy production in the world, but we still need to be part of the world discussion.

The Climate Group, which is an environmental think tank, has produced a report entitled *Greenhouse Indicator Series — Australian Electricity Generation Report 2008*. It involves four states: Victoria, New South Wales, Queensland and South Australia. That report has only been out since July this year. Some really pertinent figures came out of this paper. It turns out that only 2 per cent of our power in Victoria is generated from renewable sources, 94 per cent of our power comes from coal, and 2 per cent comes from gas. According to the report we have three of the four dirtiest power stations in Australia, and the group is not

too pleased about that. But, as I say, there is hope for us with the bioenergy that is used down at Maryvale.

I support this bill. This is certainly something that needs to be dealt with at a federal level. It is the longstanding view of the coalition that any scheme for mandating the use of renewable energy should be undertaken at that national level. As such, I support the bill.

Ms DUNCAN (Macedon) — I, too, rise in support of the Victorian Renewable Energy Amendment Bill. I am pleased to see the opposition supporting this because, if memory serves me correctly, its members did not support the VRET (Victorian renewable energy target) scheme we introduced. Presumably it means opposition members now appreciate the necessity for clean, green energy because of the issues we have across the world with climate change. I am pleased to see their change of heart in support of renewable energy targets. We know that without this sort of mandated program the cost differential between these alternative and green technologies and our supply of cheap, brown but dirty coal just does not stack up economically. We need to have these mandated schemes to ensure that they can compete with the existing energy sources we have.

I will not go through all the details about turning a VRET into a RET (renewable energy target) and transferring entitlements and certificates. That has been discussed by previous speakers. But I would like to go through a bit of the background to the introduction of the VRET scheme here in Victoria.

The scheme was established under the Victorian Renewable Energy Act 2006. The purpose of that act was to encourage investment in renewable energy generation in Victoria, which we did see — although it was a fairly short-term measure. It was not intended to be short-term, but thankfully we now have a commonwealth government that is going to extend that scheme and introduce and extend the RET scheme.

In Victoria a scheme was introduced in 2006. It resulted in the increased development of alternative energy in Victoria. As a result of the VRET scheme we saw, for example, the development of a hydropower station at Bogong, new wind farms at Waubra and the Cape Nelson South and Cape Bridgewater wind generators at Portland. Basically the VRET scheme was modelled closely on the commonwealth's mandatory renewable energy target (MRET) which commenced in 2001. This was an initiative of the Howard government which enabled certificates to be created for the generation of electricity and renewable sources. It required liable entities to acquire certificates to meet their share of the

scheme, and it provided penalties on liable entities for any shortfall in meeting their scheme.

The Howard government refused to extend its MRET scheme, so in Victoria we saw investment in renewable energy stall. The MRET scheme introduced by the Howard government, which was to encourage 3 to 4 per cent of Australia's electricity consumption to be sourced from green energy, was almost fully met within five years of the introduction of the scheme. From about 2005 or 2006 the commonwealth scheme was not having the desired effect. Unfortunately the then commonwealth government refused to extend that scheme, which was why we introduced the VRET scheme which had a target of 10 per cent of Victoria's electricity generation to be met by renewable sources by 2016.

As I said, there are a number of examples of this scheme benefiting renewable energy in Victoria. In 2008 the Victorian government welcomed the new federal Labor government's commitment to increase the commonwealth RET target to 20 per cent by 2020, and that is the reason for us winding up VRET — to become compatible with the new RET scheme. Victoria committed to transitioning VRET to the commonwealth's expanded RET scheme on the basis that the expanded RET would provide greater incentives for investment in renewable energy generation in Victoria than would otherwise occur under VRET.

It is obviously more desirable to have a commonwealth scheme to deal with these things, but the Victorian government was not prepared to do nothing if the federal government was not prepared to do its bit, so it determined to set up the VRET scheme — and I am very pleased it did. In April this year the Council of Australian Governments agreed to the expansion of the commonwealth's renewable energy target to increase renewable electricity generation in Australia.

We know the expanded RET will accelerate the deployment of renewable energy technologies such as wind, biomass and geothermal, as well as solar. The expanded RET will increase the existing mandatory renewable energy target more than four times to 45 000 gigawatt hours in 2020; it will contribute to meeting Australia's targets for the reduction of greenhouse gas emissions; and it will provide incentives to accelerate the uptake of Australia's abundant renewable energy sources, such as solar, wind and geothermal.

I am a member of the parliamentary Environment and Natural Resources Committee which is currently

looking at the application process for renewable energy. A number of projects have got approval but have not yet commenced because they have been waiting for this RET scheme to be passed, so we know there is a lot of renewable energy that will now be accelerated by the introduction of this commonwealth RET scheme. It will also reduce red tape by bringing existing state-based targets into a single national scheme, hence the purpose of this bill before the house.

We had a federal government that did not see the necessity for expanding its scheme; we now have a commonwealth government that does, so this Victorian RET scheme can now be wound into the commonwealth scheme, which is a terrific move. A week or two ago I was listening to a question and answer session about carbon trading schemes. The conservative members on the panel raised a range of issues. There was one woman from England — I think she might have been the ambassador — who was looking at them all quite puzzled and suggesting the debate that we are still having in this country has been well and truly advanced in Europe and some other countries in the world. We need to get a move on in these areas. I am pleased the opposition is supporting this legislation, and I commend the bill to the house.

Dr NAPHTHINE (South-West Coast) — I rise to support the Victorian Renewable Energy Amendment Bill 2009. In supporting the bill I support the development of a diverse range of renewable and alternative energy generation options in Victoria, particularly in the region of western Victoria that I proudly represent.

People may ask what the difference is between the support I give to this legislation and the concerns that were raised about the Victorian renewable energy target (VRET) scheme when it came before this Parliament several years ago. There are significant differences. One significant difference — and this is an issue that was raised at the time — is that this is a national scheme. That is significantly different from Victoria going it alone with the VRET scheme. With a national scheme the additional costs associated with higher electricity energy charges that are linked inextricably to any sort of VRET or national renewable energy target scheme will apply equally across Australia and not simply disadvantage Victorian industries, Victorian farmers, Victorian small businesses and Victorian families. Being a national scheme is a significant step forward.

The second significant change from the VRET scheme is based on the good work done by the federal Liberal

team — Malcolm Turnbull, Andrew Robb and Greg Hunt in particular — who have worked recently at a federal level to ensure that the national scheme included provisions to ensure that our energy intensive, trade-exposed industries were not significantly disadvantaged by this scheme. I proudly represent Portland, where Portland Aluminium exists, and it is absolutely essential that that major employer — —

Mr Stensholt interjected.

Dr NAPHTHINE — It is all right for the member for Burwood. He wants to close down Portland Aluminium and cost 600 jobs there and take another 1000 jobs from contractors who support that industry. He does not want to provide any protection for those trade-exposed, energy intensive industries like our dairy processing plants that are high users of electricity for both cooling and drying and our aluminium industry. Both are major employers, major export earners and major drivers of our economy. That is why we need to protect them in any changes that we make.

There are two significant differences between what we are looking at now with a national scheme and the VRET scheme. The national scheme provides protection for those trade-exposed, energy-intensive industries I referred to due to the good work of the coalition federally. The fact that it is a national scheme makes it significantly different from the VRET scheme, and hence we are supporting it.

I wish to refer now to the south-west Victorian situation. South-western Victoria is very proudly the centre of alternative energy generation. It is an area that I have been strongly supporting for some time. In his contribution the member for Seymour asked about where there was support for wind energy on this side of the house. Let me make it very clear to him that I have very strongly supported wind farms at Codrington, the Portland wind energy project and the Chalicum Hills project at Ararat from day one. I strongly support the proposals at Macarthur and Hawkesdale and a number of other wind farm projects in western Victoria.

The Liberal Party's position has always been that the Liberal Party supports wind energy projects where there is strong local community support. All of the ones I mentioned did have strong local community support. There are concerns about some projects currently proposed which do not have that community support. The Sisters, which the member for Polwarth will talk about, is an area where there is huge community concern about that wind farm proposal. The Moyne Shire Council voted unanimously to reject that proposal, which has now gone to the Victorian Civil

and Administrative Tribunal. I would hope the proponents of that proposal listen to the voice of the community in the local shire and discontinue their application for a wind farm at the Sisters.

Similarly at Darlington there are genuine concerns about the broilga population. Hamish Cumming, a very hardworking activist who knows the bird populations in that area, has raised genuine concerns about the process for bird assessments and the impact on the broilga populations at Darlington. There is also an issue with regard to fires and some of these wind farms. As I say, yes, we support them where the community supports them, and I will support them quite strongly.

I refer to an article in the *Warrnambool Standard* of 18 August 2009, which says:

An Altona North man, 42, has been charged in relation to a fire that burnt out grazing land north of Port Fairy on 4 January 2007.

Further, it states:

Police will allege that the man was the leader of a team of workers involved in the maintenance of a wind test turbine on the day.

The team was working in long dry grass with machinery that is alleged to have started the fire.

Weather conditions in the area on the day were described as extreme.

There were strong northerly winds and the temperatures reached 35 degrees.

Again I would urge those in the wind energy industry to be cognisant of the protection of the communities in which they work. There is great support for many wind energy projects, and where they have community support I also strongly support them.

There are a number of jobs involved at the project at Keppel Prince, where they are building towers, and that is fantastic. However, I need to bring to the attention of the house the situation with regard to Vestas, which was a wind blade manufacturing plant in Portland. It opened in 2005 and closed in December 2007, when 135 people lost their jobs.

Ms Allan interjected.

Dr NAPHTHINE — The minister says — —

The ACTING SPEAKER (Mr Seitz) — Order! Interjections are disorderly and the honourable member will ignore them. He has been here long enough to know the rules.

Dr NAPHTHINE — I refer to a media release of 1 May 2003 from the Minister for State and Regional Development. It says:

It also clears the way for associated job and investment opportunities throughout the region with NEG Micon set to establish a multimillion-dollar manufacturing industry to supply wind energy projects.

The Bracks government is finalising an agreement, which will see NEG Micon establish a blade factory in Portland.

The then Minister for Energy Industries, Theo Theophanous, in an interview on ABC regional radio on 31 May 2004 said, and I quote:

The arrangement that the state government has with Pacific Hydro is that its development in Portland is conditional upon a blade factory being established there.

The government made it clear the wind farm developments at Cape Nelson and Cape Bridgewater were dependent on blades coming from a factory in Portland, creating jobs in Portland. The then Minister for State and Regional Development, who is now the Premier, confirmed in an article of 19 August 2003 in the *Warrnambool Standard* that the state would contribute to the costs of the development of that factory. An advertisement in the election campaign of 2006 says, 'Vote Labor to protect wind power jobs'. A bit over 12 months later the blade manufacturing plant closed, 135 jobs were lost and the state government did not lift a finger to protect those jobs and protect those people's employment.

The Portland wind energy project was subsequently built with blades imported from overseas, creating jobs overseas, when the Labor government here promised it would be built with blades manufactured in Portland, creating jobs in Portland. So this government certainly has a lot of apologising to do to those 135 employees and the people of Portland.

I also wish to note that in south-west Victoria we have gas-fired power stations being built and proposed at Mortlake for Origin Energy and at Shaw River, near Orford, for Santos, and that there is the need for improved infrastructure, roads and accommodation to accommodate those developments. There is a geothermal energy proposal at Port Fairy using hot rocks, and there is wave energy proposed for Portland and other areas. But it is interesting to note that an article in the *Portland Observer* of 21 April 2008, headed 'Red tape swamps project', says that a wave energy project proposed for Portland has been downsized considerably because of the red tape imposed by the state Labor government. We need a

government that supports alternate energy and consistently delivers the jobs that it promises.

Mr LIM (Clayton) — I am pleased to rise and speak in support of the Victorian Renewable Energy Amendment Bill 2009. It is rather pleasing to hear that the opposition is supporting the bill despite the odd bit of bravado that we heard before. Our government has been taking some decisive actions to tackle climate change. On 13 April this year the Council of Australian Governments agreed on a commitment that 20 per cent of Australia's electricity supply will come from renewable sources by 2020. This agreement therefore represents a major step towards Australia's low pollution future, and we should be looking forward to that.

Since 2006 the Victorian renewable energy target scheme has been used to encourage additional generation of electricity from renewable sources. Therefore it has brought more investment in the generation of renewable energy and the development of renewable energy technologies, which include wind, solar, biomass and geothermal power.

With the commonwealth's expanded renewable energy target scheme, by 2020 there will be about twice the investment in renewable energy in Victoria that would have been delivered by the Victorian renewable energy target scheme. Therefore the Victorian Renewable Energy Amendment Bill 2009 will amend the Victorian Renewable Energy Act 2006 to support the transition of the Victorian renewable energy target scheme to the national extended renewable energy target scheme.

Additionally this legislation also ensures a smooth transition of our state-based scheme into the national scheme and hence will avoid some extra administration and compliance costs and inefficiency, which often happens when there are multiple schemes operating around the country. The Victorian Renewable Energy Amendment Bill 2009 will enable a smooth transition. Various obligations under the existing legislation will be removed and entitlements and liabilities of the commonwealth scheme will therefore apply in this state — for example, under the bill applications for new power stations will become easier through a relaxing of the restrictions to allow for the transition to and participation in the commonwealth scheme from early 2010. A cut-off date for such new applications will apply, of course.

The amendment of the commonwealth Renewable Energy (Electricity) Act 2000 was passed in August 2009. This bill is designed to operate closely with the transitional provisions under the commonwealth

Renewable Energy (Electricity) Act 2000. Renewable energy certificates under the existing scheme will be able to be exchanged for a certificate under the expanded commonwealth scheme and deem all existing participants to be eligible. Such amendments have been put in place to ensure that Victoria will be able to meet its target to generate renewable energy by 2020, and nationalising this scheme will allow Australia to move closer to these targets in synchronisation.

Finally, the passing of the amendment bill reinforces the Victorian government's commitment to encouraging more investment and development in renewable power generation, and the government will continue to seek to ensure that our state will be the best place for such investment and meanwhile to create more job opportunities in the sector. I commend the bill to the house.

Mr WELLER (Rodney) — It gives me great pleasure to rise and speak on the Victorian Renewable Energy Amendment Bill. The Nationals and the coalition will be supporting this bill. We welcome this bill, but we realise that a national approach was always the best way, and that is what our long-term policy has been. I was reading the second-reading speech with interest. The second paragraph says:

The VRET scheme has provided the necessary incentive for substantial investment in renewable energy generators in Victoria since it was announced in 2006. We have seen the development of new hydro power stations at Bogong and new wind farms at Waubra and Portland.

I would like to encourage more hydro stations. Of course, to build a hydro station you have to have a dam.

Mr Hardman — Or a pipeline.

Mr WELLER — The member for Seymour interjects that we would need a pipeline for a hydro station. What you actually need is dams with water in them. Pipelines do not necessarily create water, just for the member's information. We need to remember that there is a big opportunity. I am sure if the member for Murray Valley were addressing this bill, he would quite rightly point out that there is an opportunity to build a dam at Big Buffalo, and Big Buffalo would add another billion megalitres, which would make this hydro power station at Bogong look like a pup. It would generate a great deal of renewable power, which we as a state want to do.

The minister spoke about wind farms at Waubra and Portland, and there has been some debate on the other side of the house about whether this side of Parliament supports wind farms. We do support wind farms in the

appropriate places, and there are plenty of opportunities in northern Victoria for them to be built in places where it has been quite windy. Those areas just have not applied for them. But what we cannot do is override people's rights to have their view and express their concerns. I do not believe it is appropriate that those rights be taken away from people. The people of Victoria should always have the right to express their views and their concerns.

One of the other forms of renewable energy is methane, which has not been mentioned in this debate. I think the state government needs to have money invested in research in this area. In other parts of the world the dairy industry, which is a major industry in my electorate, captures the methane off effluent ponds and turns that into power. I think this government would do well to invest money in researching how we can implement that on farms, and not only on dairy farms. The piggery industry is another area that has a lot of effluent ponds where the opportunity exists to collect the methane.

Another form of renewable energy is algae. There have been proposals to place an algae farm next to a power station in the Latrobe Valley. The beauty of algae farms is that carbon emitted from power stations is collected and then pumped into sewage water. After that occurs the algae grows and can be used to create diesel, stock feed, glycerine and clean water. It is a win-win-win opportunity. We reuse the carbon; we get clean water through the process; we get diesel that can be used as energy to power vehicles; and we get stock feed which is high in protein and is good for further production in our intensive animal industries here in Victoria — to feed chickens, beef cattle and prime lambs, and for use in the dairy industry and the pig industry.

Biomass is another opportunity for creating energy in Victoria. Last week I toured a forest in eastern Victoria with VicForests, which made it quite clear that there is a great opportunity for Victoria to use biomass as a source of energy. It would complement the timber industry. We have to understand that when you leave this material on the forest floor you increase the fuel load, and we are all wary of fuel loads and fires, particularly coming up to the fire season. Something that reduces the fuel loads in the forest is a good idea. If it were left on the floor of the forest, some people would say it would not create any emissions, but as it rots it creates emissions. To use it to create energy is a good system. We could utilise it for energy, and it would stop emissions. It also gets the forest to regenerate, and while it is regenerating it is using up more carbon than when it is not growing. We must

encourage growth in forests to use up the carbon in the air.

There are many other proposals. The member for South-West Coast has spoken about wave energy. That is one that the government should invest in. There is also geothermal energy, which is another one of interest in the area of the member for South-West Coast, and he spoke about that.

While we have had a great uptake of solar electricity by individuals — it is a good scheme and one that must be encouraged — when it comes to major solar projects, the government has failed. We had a proposal at Mildura which showed that this government cannot manage major projects. That proposal has fallen over. The investors have walked away. The government has allowed that to happen, and it should be condemned for doing that.

The government members for Preston and Macedon spoke about carbon pollution reduction schemes. We must remember that if we want to go down the track of carbon pollution reduction schemes, we have to think about what the cost will be to industry, and we have to make sure that the industry will not be disadvantaged. We have to keep the price of energy down so that industries do not go offshore. We all agree about the need for a reduction in the carbon footprint, but while supporting the bill we must remember that we do not want to be forcing industry to go offshore. I commend the bill to the house.

Mr NOONAN (Williamstown) — I rise to speak in support of the Victorian Renewable Energy Amendment Bill. In opening my contribution I want to pick up a point that the member for South-West Coast made in his contribution. He implied that the closure of the Vestas blade manufacturer down in Portland was in some way linked to the Victorian government. What I have before me is a piece from the *Age* of 5 September 2007. If my memory serves me correctly, the Howard federal government was still in power at that time.

Mr Stensholt interjected.

Mr NOONAN — Thank you; the member for Burwood has confirmed that. The piece talks about the Labor government's policy announcement on renewable energy. It says:

Labor's policy announcement comes after a Portland factory making blades for wind turbines last month blamed the government's lack of support for renewable energy for its decision to close by the end of the year, with the loss of 130 jobs.

It is important to make the record absolutely clear for when the member for South-West Coast next gets up and makes a contribution on this issue — it is clear that it was the Howard federal government that cost those jobs and that factory in the Portland area.

This bill was foreshadowed by the Premier back in February in the annual statement of government intentions. In section 17 of the statement, entitled ‘Victoria’s plan for climate change and energy’, the Premier indicated that the Victorian Renewable Energy Act would be amended to enable the transition of the Victorian renewable energy target scheme, better known as VRET, into the proposed national renewable energy target scheme, known as the RET. The statement goes on to say in section 17.4 that this will provide certainty for investors in wind and other renewable energy projects that there will be continuity between the two schemes. We now know that legislation to implement the expanded national renewable energy target scheme was passed by the commonwealth Parliament on 20 August.

The commonwealth government’s RET scheme is designed to ensure that 20 per cent of Australia’s electricity comes from renewable sources by 2020. The RET scheme will help accelerate the development and deployment of renewable energy technologies by expanding the previous mandatory renewable energy target by over four times to 45 000 gigawatt hours by 2020. Remarkably, it is estimated that in 10 years the amount of electricity coming from sources such as solar, wind and geothermal will be about equal to all of Australia’s current household electricity usage.

This bill before the house makes amendments to the principal act to support the expansion of the commonwealth’s renewable energy target scheme and to facilitate the transition of the Victorian renewable energy target scheme to the commonwealth’s expanded RET scheme. By transferring to the RET scheme Victoria once again commits to the commonwealth government’s target of 20 per cent renewable energy by 2020.

This bill and the commonwealth legislation are really about responding to climate change, when it is all said and done. In his book, *The Weather Makers*, which was published in 2005, former Australian of the Year Tim Flannery acknowledged that climate change was still a breaking story — if we can believe that now. He wrote that it was not until the mid-1970s that:

... the first sophisticated computer models were suggesting that a doubling of carbon dioxide (CO₂) in the atmosphere

would lead to an increase in global temperature of around 3 degrees Celsius.

Tim Flannery went on to explain that the level of carbon dioxide in the atmosphere is critical in setting and altering the earth’s thermostat.

We had the Garnaut climate change review, commissioned by the federal government and released in November of last year, confirming the threat of climate change to Australia and strongly advising of the need to reduce greenhouse gas emissions.

In summary, what this bill lends itself to is further support for renewable energy investment in Victoria. Victoria leads the way in terms of renewable energy, with the current VRET scheme being the only existing state-based scheme even though it is being transferred into the national scheme.

With those few words, I certainly support the bill. The state government’s willingness to agree to the RET scheme and other investments, such as AGL’s investment in the Bogong hydropower project and that of other companies, can go forward now with some confidence in terms of investing in Victoria and the renewable energy future.

Mr MULDER (Polwarth) — I join the debate to make a brief contribution on the Victorian Renewable Energy Amendment Bill. In doing so I advise our support for the bill. I suppose you could start by saying we told the government so in relation to the bill, because when the Victorian government originally put the Victorian Renewable Energy Bill through the Parliament there was a great deal of concern among members on this side about the impact on business in Victoria and also because we believed there should have been a national scheme at the time. Here today before the Parliament we have a bill that effectively transfers to the federal government powers for what the Liberal Party pushed for in the first place: a national scheme.

We had grave concerns — and I certainly had grave concerns — about what the VRET (Victorian renewable energy target) could have done in my community. In Colac, where I live, the dairy processors, our timber industry and CRF are major employers. They were all staring down the barrel of higher energy costs. States that were not part of the scheme would be able to maintain low energy costs. We were going to give up a competitive advantage, and that was a grave concern for the opposition.

As I said, we support the bill. There is a lot of work to be done now by the federal government as it takes the RET (renewable energy target) scheme forward, but it does have the support of the coalition parties at a federal level. Some concerns have been raised. Page 1 of the *Australian* of 24 July 2009 comments:

Resources minister Martin Ferguson has savaged environmentalists for demonising nuclear, gas and coal-fired energy despite knowing solar and wind energy are not viable on current technology.

This is something of a concern when you look at the slow progress being made in relation to renewable energies, where at this point in time the whole thrust seems to be for wind energy — and for wind energy alone. Very little has been done on other forms of renewable energy. I for one was extremely disappointed to see the collapse of the solar energy project in Victoria. When you fly out of Victoria across the middle of Australia — the north of Victoria and central Australia — you look down and think, ‘What an ideal location for a major solar energy plant’. Yet we just do not seem to have had the foresight or the support from the state or federal Labor governments to take this forward. In fact we have a situation where a project has collapsed under the watch and the guard of both federal and state Labor governments. That is an absolute disgrace.

I have some concerns about wind farms. A couple have been proposed for my electorate. The government will have to watch this very closely. No doubt there are communities which are pro-wind farms and which are prepared to accept wind farms in their localities — perhaps farming communities with rising country or hills that are appropriate for wind farms. There is a wind farm with 116 turbines in my electorate at Mount Gellibrand, which is just outside of Colac. I think that is an investment of around \$380 million. When that project was proposed, I did not get one person through my office door complaining or raising any concerns about it. The community believed it was appropriately located and was prepared to support it. The Colac Otway shire was in the same boat.

The opposition has always taken the view that if the community and local councils are prepared to support the location of these wind farms, then that is the position it will take. But, as the member for South-West Coast pointed out, another wind farm has been proposed down at the Sisters, which is in my electorate. That proposal is currently before the Victorian Civil and Administrative Tribunal because members of the local community were outraged at the thought of having a wind farm in their locality. The Moyne Shire Council unanimously opposed the wind farm being

located down there, and the proposal has now gone to VCAT.

At a recent meeting in Colac organised by the local federal member, Darren Cheeseman, the Victorian Minister for Energy and Resources attended to promote south-western Victoria as the wind farm capital of the state. That came as something of a surprise to a lot of people in the community. There was no consultation. No-one knew this announcement was coming out. No indication was given of where all these turbines would be built. We were told the number would be in the order of 300. I suggest to Mr Cheeseman, who holds his seat by a very narrow margin, that if he wants to win the people of the local community over, he had better come out and tell them where these farms are to be located. He has obviously made a decision that this is just going to happen, irrespective of what members of the local community think. That is not the way to take a community forward.

I know that at the meeting attended by the energy minister and Darren Cheeseman the head of one of the proponents of the wind farms was visibly shaken by the protesters who turned up. If the government is not careful, it will have an army of protesters following each and every one of these developments. The government is infuriating communities with its lack of consultation. Not far out of Winchelsea is another wind farm which the community is not in favour of.

The government has a situation where the opposition is prepared to support it, but it has to go down the pathway of true, open and transparent consultation with communities. I think we can win them over and win the debate, and I am more than prepared to be part of that. The community in my area has been very supportive, and not just of wind power. There is a geosequestration trial south-west of where I live. This will be of enormous benefit to the energy sector in Victoria if it is proven to be successful. The people of the south-west are in favour of alternative energies; we are in favour of doing all we can to improve existing energy sources to ensure that we can make them clean and reliable. On that note, I wish the bill a speedy passage and offer my support.

Ms MUNT (Mordialloc) — I rise to speak briefly in support of the Victorian Renewable Energy Amendment Bill 2009, because I know other speakers wish to comment on it. This bill provides for the VRET — which is the Victorian renewable energy target scheme — to be superseded by the RET, or the national renewable energy target scheme. Under the VRET scheme, which was introduced in 2006, 10 per cent of Victoria’s electricity generation was to be met

from renewable energy by 2016. Under the RET scheme 20 per cent of electricity generation will be from renewable energy by 2020.

It is interesting that Victoria was the first state in Australia to bring in this renewable energy legislation. That happened during the Howard years, when it was extremely difficult to achieve cooperation on any environmental matter. It is a pleasure to now be able to speak in support of this bill, knowing there is a complementary federal government that is prepared to take environmental issues seriously. We had to stand alone in 2006, but now we can have an Australia-wide scheme.

This scheme comes about as a result of a Council of Australian Governments meeting in Hobart in April 2009, when COAG reaffirmed its commitment to introducing a comprehensive national strategy for energy efficiency to help households and businesses reduce their energy costs, improve the productivity of our economy and reduce the cost of greenhouse gas abatement under the carbon pollution reduction scheme.

It is particularly important that we put the scheme in place, particularly in this financial climate of the global financial crisis we now find ourselves in, to encourage renewable energy to be a major part of our energy provision. The scheme provides support for the solar energy, geothermal energy, wind energy and tidal energy industries and will help those industries to start and become stronger.

As I was sitting here listening to members of the opposition — they are supporting the legislation, which is very good — I recalled the orange-bellied parrot saga of a few years ago during a federal election. On the belief that one orange-bellied parrot may fly into the — —

Mr Stensholt — One in 100 years.

Ms MUNT — Because one parrot in 100 years might fly into a wind turbine, a whole project was pulled. It was blatant political opportunism during an election year. It shows the shallow commitment of the opposition parties to renewable energy, particularly wind energy. All sorts of opposition was drummed up to make that point.

As I said, it is very good to be able to stand here and speak in support of this legislation from a Victorian government that is committed to renewable energy in partnership with a federal government that is committed to renewable energy. I commend the bill to the house.

Mr NORTHE (Morwell) — I have been looking forward to making a short contribution on the Victorian Renewable Energy Amendment Bill. The purpose of this bill is to provide a transition for the Victorian renewable energy target (VRET) scheme to the commonwealth's renewable energy target scheme. As previous members have indicated, the goal is that 20 per cent of Australia's energy produced in 2020 will come from renewables. As the member for Box Hill indicated in his contribution, the system of a nationally led approach to achieve this aim is a sensible decision. Subsequently this legislation is supported by the coalition.

As you, Acting Speaker, would know, Latrobe Valley brown coal generators currently produce 85 per cent of Victoria's energy supplies. They are confronted with many challenges, not least a challenge of recent times with the civil disobedience protest last weekend. I commend International Power Hazelwood staff and management and Victoria Police on how they operated in relation to that protest.

Another issue confronting Latrobe Valley power generators is the carbon pollution reduction scheme proposed by the Rudd federal government. There is extreme concern within the Latrobe Valley community that this is a threat to jobs. Independent research has predicted a grave outlook for our community.

By the same token — and I have had conversations about this matter with Latrobe Valley power generators — we support an emission trading scheme, but in its current form it will have severe impacts on the generators and the Latrobe Valley community. We all acknowledge the need to introduce cleaner coal technologies along with developing larger scale renewable technologies — those have been outlined today — such as wind, solar, geothermal and even tidal. I had the opportunity to view some literature about the San Remo project just recently. The member for Bayswater mentioned that some companies are doing some great work in producing renewable energy. One of those is Australia Paper in the Latrobe Valley. It has done some fantastic work for which it has recently been publicly recognised.

At the moment the Victorian government has issued a climate change green paper. I recently had the opportunity to attend a community consultation regarding that. I congratulate the Minister for Environment and Climate Change for making the effort to attend it. He would have heard our local community expressing its concern about the green paper and the impacts it would have on the Latrobe Valley. In fact it

is stipulated in the green paper that one of the key elements of the green paper for regional communities is to help vulnerable regions, particularly the Latrobe Valley, businesses and communities adjust to a carbon price.

In my short contribution I would like to say we understand the need to transition away from current brown coal practices. We know we need to clean up our act in that regard. As we transfer to renewables or clean coal technologies, there is a distinct lack of planning for our community at the moment. The main theme I want to put forward is that there are plenty of motherhood statements and nice words within the climate change green paper, for example, but what our community is really calling for now is certainty and surety for our employees and for our workforce into the future to ensure that we have the opportunity in our community to also be part of the renewable technologies as they develop. There is no point in having our power generator workers being unemployed at the moment.

There is a great opportunity in our community for these types of renewables to be developed, be they solar, wind, geothermal or otherwise. There are plenty of opportunities, and I want to make sure this government does not miss the opportunity of supporting the Latrobe Valley community, as it has said it will in the green paper and as it has said publicly. In closing, I advise the house that we support the legislation before us.

Mr HOWARD (Ballarat East) — I am pleased to speak on this piece of legislation which, as we know, is about doing away with the VRET (Victorian renewable energy target) scheme. This government showed significant leadership in recognising we need to address global warming. In doing so we showed leadership by introducing the VRET scheme. That scheme, as we know, has seen many renewable energy projects established across the state. One of those is the wind farm at Waubra, which is where I live. I have been very pleased to see that the community overall has been supportive of it. There are some issues which I keep monitoring, and I am in a good position to monitor this.

However, let me make a few comments in regard to the contribution of the member for Polwarth who said when the VRET scheme was proposed, ‘We told you so. You should not introduce this scheme; you should have a national scheme’. Yet when did he ever go to the former federal Howard government and say, ‘We want a national scheme’? The Howard federal government did nothing in regard to this matter, and it has taken the Rudd federal government to take Victoria’s lead and introduce a national scheme, which we now have in

place. I am pleased to have a national scheme, which means we do not need the Victorian scheme.

I, like other speakers, am sorry that the solar project proposed for Mildura is on hold because of a lack of finance, but it is not on account of a lack of support from this government. The government has indicated, along with the federal government, substantial support of \$100 million for the project. We want to see it going forward, and we will continue to work on it. We will address this issue. We will work hard to ensure that issues associated with global warming are addressed and that Victoria builds its capacity to produce alternative sources of energy. I completely support the direction of the legislation.

Mr STENSHOLT (Burwood) — Like other speakers before me, I rise to support the bill, which responds to the new federal scheme by harmonising the Victorian legislation with the federal legislation and providing for a transition process from the Victorian renewable energy target (VRET) scheme to the new federal renewable energy target (RET) scheme. The Victorian government introduced the VRET scheme in 2007 after the failure of the Howard federal government. I want to correct the member for South-West Coast, who blamed the Labor government for the failure of Vestas in Portland. I quote from an article that appeared in the *Australian* around the time of the failure in August 2007:

Vestas Asia-Pacific senior vice-president, Jom Hammer, said if the government was prepared to put in place ‘the necessary security for a long-term market’ ...

He was talking about the Howard government. The article goes on to quote him as saying:

It’s definitely a fact that the current environment for the wind industry is not big enough to encourage these kinds of investments ...

I also note that the article quotes Peter Garrett, then environment spokesman for the Labor opposition and now federal Minister for the Environment, Heritage and the Arts, as saying:

The closure of the Portland factory is a major blow ... another kick in the guts for our renewable energy industry ...

He also said four suppliers had closed down around that time because of the Howard government’s actions.

This legislation will promote renewable energy, whether it is solar thermal, solar photovoltaic, wind, geothermal, wave or tidal. We need action across the board in terms of renewable energy. People like Graham Pearman, formerly of the CSIRO and an expert on the issue of climate change and emission reductions,

would say efforts are needed across the board in terms of energy production.

We should be sensible about the investment we make and the efficiency we are looking for in energy production — that is, we should look for the most efficient form of energy — and we need appropriate pricing and appropriate arrangements for that. I would like to see the minister take more of an interest in cogeneration. This means using gas, but it is a halfway house; renewables are the ultimate goal in terms of not having to use up coal, gas or other non-renewable energy sources. This is excellent legislation. The minister should be commended for bringing it before the house. I commend the bill to the house.

Mr EREN (Lara) — I will not be very long, as I understand the time constraints, but I want to put on record my support for the bill. It is a great bill. I am happy that opposition members have seen the light and are also supporting the bill, even though they came kicking and screaming to the table. Now we can focus on this issue and put it into the national arena. I am happy this bill is before the house.

Some members commented on the location of wind farms, and wind is a form of renewable energy. Clearly you can only put wind farms in areas where there is wind, and the western parts of Victoria have high levels of wind. I can understand the perspective of some local residents who may not be in favour of wind farms in their areas. The *Geelong Advertiser* reported protests when the Winds of Change forum was held in Colac. There were certainly a lot of passionate supporters out there, to say the least. The behaviour of some of those protesters was outrageous; I do not agree with that form of protest.

I commend the government and the Minister for Energy and Resources, who is at the table, on this great bill. I fully support the bill before the house.

Mr BATCHELOR (Minister for Energy and Resources) — I thank those members who have contributed to this debate. There have been a lot of them, and I guess that shows support for the government's policy of encouraging renewable energy in Victoria. We had contributions from the members for Box Hill, Seymour, Mildura, Brunswick, Evelyn, Preston, Bayswater, Macedon, South-West Coast, Clayton, Rodney, Williamstown, Polwarth, Mordialloc, Morwell, Ballarat East, Burwood and Lara. I thank all those members for their contributions. These contributions have come from the length and breadth of Victoria, which is an acknowledgement that the opposition has dramatically changed its position. It has

been on a road to Damascus, and on that road it has seen the light and decided to support the renewable energy scheme that operates in Victoria, having first opposed it.

The Brumby Labor government is committed to renewable energy, as members can see by the fact that Victoria was the first state to enact its own renewable energy target. Now that we have a federal government that is also serious about renewable energy it is appropriate for us to make the transition from our state-based Victorian renewable energy target (VRET) scheme to the commonwealth's expanded renewable energy target. That is, simply, what this bill does. It provides for a very simple transitional arrangement. It does this by ending certificate creation under the VRET scheme, setting the VRET target to zero from 2010 and enabling VRET certificates and generators to transfer to the federal renewable energy scheme. This is a simple and straightforward process.

VRET has been successful. It has led to a huge investment in renewable energy in Victoria. Over \$2 billion has been earmarked, which has led to real jobs being created. Most of these jobs have been in regional Victoria, and in most locations the investment in renewable energy jobs and industry has been welcomed.

In the long term the expanded federal renewable energy target will encourage an even higher investment in renewable energy generation in Victoria, and that is good news for Victoria. Our scheme was to provide 10 per cent by 2016; the national scheme will now provide 20 per cent by 2020. As we get to 2020 I am confident that in Victoria we will see an increased level of investment in all forms of renewable energy. In the short term that renewable energy is most likely to be taken up by wind. All the planning and preparation that has been undertaken in Victoria as part of our Victorian renewable energy target, our VRET scheme, puts us in a good position for transferring into and starting up the national renewable energy target.

In a sense Victoria is in the starter's blocks. We are ready to participate in this national race that will now take place to establish different forms of renewable energy: wind, solar, biomass, tidal, wave — and the list goes on. We encourage investment and interest in all these forms of energy. They will bring great benefits, particularly to regional Victoria, where much of this investment takes place and where many of the jobs are located. In that context I thank those members who contributed to the debate, and I thank the house for giving its support to this important legislation.

Motion agreed to.

Read second time; by leave, proceeded to third reading.

Third reading

Motion agreed to.

Read third time.

Sitting suspended 6.30 p.m. to 8.02 p.m.

VALUATION OF LAND AMENDMENT BILL

Second reading

Debate resumed from 2 September; motion of Mr BATCHELOR (Minister for Community Development).

Mrs POWELL (Shepparton) — I am happy to speak on the Valuation of Land Amendment Bill 2009. This is another piece of legislation introduced by this government that has a huge impact on local government, but it is not actually a local government bill. It is legislation on which the government sought advice from councils, and while it did not completely ignore the advice, it certainly has modified that advice. It is another backflip from this government due to pressure from the coalition, councils and many valuers.

In the first week in December last year the government released a discussion paper called the *Future Direction of Rating Authority Valuations in Victoria*. That report proposed to centralise valuations, with the valuer-general becoming the responsible authority for valuations. Submissions to this report were to close on 2 February 2009. Because of a huge outcry from councils and huge criticism from the coalition, the government extended that time frame to 16 February.

That discussion paper was released the week after the November 2008 council elections. We have to remember that about 50 per cent of councillors were brand-new councillors. Newly elected councillors were having to deal with rating valuations, which is a difficult enough issue on its own without them having to deal with being a brand-new councillor and the inductions and other issues that new councillors are faced with. The government released this discussion paper over the Christmas and New Year break, so it was hidden away when councils went on their Christmas and New Year break. There were probably

about eight weeks for councils to make a submission. Obviously they were not very happy.

I have heard lots of complaints from the Municipal Association of Victoria (MAV) and the Victorian Local Governance Association (VLGA), which are the peak bodies for local government, that the discussion paper release was very badly timed and the time frame was too short. I was told there was no prior consultation with local government before the introduction of the discussion paper or even the proposal to bring in this measure. This is appalling given the government last year signed an intergovernmental agreement with the MAV in which it made a promise and commitment that it would discuss and consult with local government before it brought legislation into the Parliament that would make huge changes to local councils. This is another instance where the government has not honoured the intergovernmental agreement. As far as I am concerned it is just a piece of paper that this government sees no merit in. The government needs to go back to the drawing board and genuinely sign up again to the MAV to say it will genuinely consult.

The councils also asked about the need for the changes. A number of them were fairly critical and said they believed it was a cash grab by the Brumby government. They said the government would now be able to take money usually recouped by councils. It is interesting to note that the councils asked me about the need for a change to the valuation process. The second-reading speech makes you wonder why. It declares:

Victoria has a world-class valuation system which provides for fair and equitable distribution of rates for property owners.

You would wonder why, after making that sort of a statement, the government is tinkering with this valuation at all, and many councils raised this in their submissions to me. The second-reading speech also advises:

The bill represents the culmination of an extensive review and consultation process led by the Department of Sustainability and Environment (DSE) and the valuer-general —

and that the government has listened to stakeholders' views and believes this bill reflects the views of those stakeholders.

It is important that we get valuations correct. Valuations are used to set the limits for the sale and purchase of properties. They set the rental markets and the rental levels, they determine compensation if there is any compulsory acquisition of property, they deal with the financial dealings and loans for banks, and they deal with property settlements, where it is really important that that valuation be exactly right. When they are

dealing with marriage breakdowns or the settlement of wills, it is important that that data is true and accurate. One of the interesting things to note is that the property rating formula deals with the increases in land tax. The property rating has a benefit from the land tax, as does anybody who has a property portfolio analysis.

Rating authority valuations underpin the annual collection of approximately \$2.5 billion of municipal rates and approximately \$1.2 billion of state government land tax revenue. It is a really important issue, it is critical that we get it right, and it is important that we are all here today hoping that we can work through this issue and make sure that the process is the best that it can be.

Since the Valuation of Land Act 1960 councils have undertaken the rating valuations on their own behalf and on behalf of other rating authorities, including the State Revenue Office, water authorities and other authorities that are authorised to collect that information. The information is also used by the Victorian and commonwealth grants commissions.

Rating valuations are undertaken every two years at a cost of \$39 million. Fifty per cent of that cost is contributed by the State Revenue Office to councils, and councils contribute the other 50 per cent. Some councils have in-house valuers and others contract to local valuers, so not all councils use the same valuation process. A number of them already have in-house valuers on their books and others use regional valuers, or perhaps councils even share valuers.

At the moment the valuer-general oversees the revaluation process. He or she monitors the progress of all revaluations, provides advice to the councils, ensures that council valuers apply uniform standards across Victoria and certifies all council revaluations. He or she also prepares the land tax valuations for property in non-local government areas and for non-rateable properties owned by public utilities. The valuer-general already has huge input to ensure the integrity of local councils' data. I do not think anybody in this chamber would be questioning the integrity of councils' data, and I do not believe the valuer-general is doing that.

A number of concerns by councils were raised with me and also in the submissions to the government. I know the government received quite a large number of submissions. Some of the councillors, in their submissions and to me as I travelled around the state speaking to councils, questioned the independence and impartiality of the valuer-general, not necessarily his integrity but when he or she certifies their own valuation data. At the moment councils have their

valuations certified and signed off by the valuer-general, so, if you like, there is a way of checking that councils are doing the right thing and that their property values are uniform right across the state. The valuer-general's officers make sure that the integrity of that data is correct and, if it is not, that valuation for that council is not certified. They go back to the council and say, 'You need to redo this valuation'. There are those checks and balances between the council and the valuer-general. I believe there is quite a good respect between those organisations.

I wrote to all 79 councils, to the MAV and to the VLGA. At its state council in May 2009 the MAV asked the state government to abandon its original proposal. It sought that the government abandon it and continue with the way it is, or look at other options, but certainly make sure that the option it chose would benefit all Victorians.

There is overwhelming opposition to the government's original proposal to centralise rating valuations and to make the valuer-general solely responsible for all council valuations. That is not saying there is concern about the integrity of the valuer-general; it is just saying that at the moment in Victoria we have one of the highest standards of probity between the councils and the valuer-general. This is an important issue. It is not just the councillors or the councils determining the valuation; there is a number of checks and balances before the valuation goes out to the ratepayer. There are all those probity issues so that the valuer-general can make sure that when the councils sign off on their valuations they are true and correct.

I asked the government to make the submissions available on the Web, but they were not made available. I think this is because the overwhelming majority of submissions criticise the government's proposal for its decision to centralise the database and to give the valuer-general the sole responsibility for the rating valuations. If it had nothing to hide, the government would have put those submissions on the website.

When I wrote to councils it was probably one of the biggest issues that councils responded to me about. I received about 37 or 38 responses from councils. About 34 of those were absolutely opposed to the proposal. About 4 said they could see that it would work but that they still had some concerns and would like to see those concerns addressed before they gave it their full cooperation and support.

This government would have heard all of that. I know the government received those submissions. Even

though it did not put them on the website, I know it is aware of the issues that the councils brought forward in their submissions. Some of those submissions were very well thought out. Even though they had only eight weeks to prepare them — during the Christmas holiday break and with brand-new councillors to induct to get them ready for council business — they were able to give it a lot of thought and prepare fairly substantial submissions.

I also received submissions from valuers from around the state. Local Government Professionals, also known as LGPro, which represents professionals in local government, also gave me submissions. Every single one of them opposed the government's proposal as it was, which was a complete takeover from the valuer-general of the rating valuations. Among the issues raised in the submissions that were sent to me and also to the government were queries about the predicted cost savings in the report. From memory, I think about \$10 million was going to be saved over a number of years. I cannot quite remember; it might have been over 10 years. But there was no formula for how that would be enacted. Councils were saying there was a line item in the discussion paper that said, 'This is going to be great for local councils; they are going to save millions of dollars', but there was no discussion about how they were going to achieve those cost savings.

The government was also promoting the scheme as being cheaper for councils. Again there was no evidence in the report or the discussion paper that it would be cheaper for councils. I was given examples of New South Wales and Tasmania, which do have centralised systems. Councils in those states are charged more for assessments than the average costs to councils in Victoria. As an example, in Victoria an assessment is \$8.80; in New South Wales it is currently approximately \$12 per assessment, and it is going up to about \$16; and in Tasmania the average cost is \$22 per valuation assessment.

You can see that Victoria is very competitive and also very fair. The people who win out of that are the ratepayers and the Victorian community. But it is difficult to compare the efficiency and cost, because Victoria uses three valuation bases: site value, net annual value and capital improved value; and a number of other states use only site value. It is very difficult when you are not comparing apples with apples.

Some of the concerns that were raised with me were about the integrity of the data if the valuer-general took it over and other concerns were about it being one size fits all, particularly in country areas where some

farming areas have a different valuation from others and it was thought that the valuer-general would not be able to factor that in. These are concerns from the council; they are not an imputation on the valuer-general or his officers.

Another issue of concern was the control of the data. Councils do not want to become purchasers of their own valuations. They already have the valuations and they want to know how much they would be buying them back for. At the moment they know how much valuations are going to cost them and they know exactly what that process is going to cost them in their budgets. They do not know — the discussion paper was silent on this, and this bill is silent on it — if a council opts out and goes into the valuer-general's scheme, how much it will cost that council to buy back that information.

The councils were also concerned about the accuracy of the data, and they were concerned about customer service. At the moment most councils are saying to me that they have very few objections to their valuations and those objections that they do have are able to be dealt with quickly and locally. In fact a number of councils, for the two-week period after the rates have been put out, get the valuer they have chosen to come into the council office and for two weeks those people who have objections can come into the council and make those objections known and work through the process.

There was a concern that if the valuer-general took over this process, the objection process would be online either through a website or through a phone call — press a number and get somebody to talk to you.

Councils were concerned about customer service, because they want to make sure that their ratepayers and residents have decent customer service delivered in a timely manner. Councils were also concerned about supplementary valuations. There is a need for flexibility in growth areas. Councils need to have those supplementary valuations done very quickly, and they need to be flexible to make sure they are able to access that data really quickly.

Councils were also concerned about intellectual property. If the valuer-general takes over the intellectual property, do the councils get compensation for the work they have done in finding, compiling and documenting that intellectual property? For councils that have internal valuers there were concerns about who funds those redundancies. There was an issue raised with me about conflict of interest and about the government benefiting from any increase in property

valuations through increased land taxes. Those were concerns expressed by a number of councils that asked if the government has a conflict of interest given that it decides the rates, the formula is taken from the rate base to ascertain the land tax, and of course —

Mr Batchelor — No-one has actually said that.

Mrs POWELL — I can show you the submissions.

Mr Batchelor — Read them out.

The ACTING SPEAKER (Dr Sykes) — Order! The member for Shepparton will speak through the Chair and without the benefit of help from the Leader of the House.

Mrs POWELL — I hope the Leader of the House is not querying my honesty about what the councils are saying to me.

Mr Batchelor — We think you have a very accurate list.

Mrs POWELL — Yes, I do have a very accurate list, thank you.

Another issue was the cost of improving IT systems to comply with the statewide database. There is going to be concern about the statewide database, and those councils that need to link into it may need to upgrade their systems to make sure they comply with the extended information technology demands. That is another issue: councils are asking me who will bear the cost of that IT upgrade. They also said to me that there is simply no evidence to show that the centralisation of valuations is actually in the best interests of Victorian ratepayers.

In March this year I wrote to the Premier, the Minister for the Environment and Climate Change and the Minister for Local Government. The Minister for Local Government is in the house so he will remember me writing to him. I itemised the concerns that the councils, the MAV, the VLGA and the opposition had about the proposal that the government had put forward. I passed on the councils' request and the requests of the other bodies that wrote to me that the proposal should not be supported in its current form, and I called on the government to abandon its proposal. The Minister for Local Government did respond. He said my concerns had been noted and the submissions were being considered by the valuer-general.

The government has now brought in this bill which makes some changes to the original proposal that are in line with the majority of submissions telling the

government about all the concerns of councils, other valuers and local government peak bodies.

Councils now have the option of transferring their responsibilities for rating authority valuations to the valuer-general. It is good that it will not be mandatory, that councils will not be forced into giving up the way they have done it in the past, which has always worked well for them. As I said earlier, it was said in the second-reading speech that 'Victoria has a world-class valuation system'. This means those councils can continue to do their great work.

There is also the creation of a single statewide valuation database. Many of the councils said a single statewide valuation database was a good idea. They are not exactly sure how it is going to work. If this government had consulted with the councils and made them aware of the issues and addressed their concerns earlier on in the discussion, councils may not have been so wary of the government's proposal as it stands. The government has also brought in more advanced valuation techniques and web-based systems. It has also talked about some cost benefits without actually stipulating or specifying what those added cost benefits will be and who they will be to. Are the benefits to the government? Are they to the councils? This might need a little bit more work before we know who is going to reap the benefits of the new process.

The government arranged a briefing for the opposition. The valuer-general was at the briefing. Unfortunately I was unable to attend but I understand that he answered a lot of the questions asked by members of the opposition. But can I say that in the last few days I have received a number of letters and emails, because I wrote again to the councils asking for their response to this new legislation that had come in, given that they are now able to opt into the proposal. The MAV has not responded, but I understand it is much more comfortable — I think it was in one of its newsletters that it is much more comfortable — now that councils can opt into this process. But without a formal reply from the MAV I am unable to give the MAV's policy.

However, I do know that a number of the member councils still have concerns, and a number have written to me in the last few days. Unfortunately this was after the briefing the government gave us with the valuer-general, so we were not able to raise those issues with him. I am sure that had those issues been raised with the valuer-general, a number of those issues might have been able to be addressed.

I will not go through all the letters I have received, because a number of them state very similar issues. I

will read from one that I have seen from Cr Jack Wegman, who is the mayor of Boroondara council. This was sent to me yesterday, but a number of councils are saying the same thing. I will just read this one because it is on the top of my list. I could read a whole heap of letters and emails from other councils, but because they are very similar I will read from this email. The letter from Cr Jack Wegman, mayor of Boroondara council, says in part:

The proposed bill seeks to make attaining a generally true and correct valuation certification mandatory, before a local government can adopt a general revaluation and issue a rates notice.

Whilst the principle of this requirement is understood and supported, the proposed time lines in the legislation have the potential to disrupt council's annual budget preparation time lines.

The draft legislation provides that:

general revaluations must be completed by 30 April;

the valuer-general has up to two months to issue his sign-off;

the minister must then issue the generally true and correct certificate.

These proposed time lines create the potential for a local government to have no certainty on its valuation figures and thus the basis on which its budget is framed, until early to mid-July at best.

The letter goes on to say:

As you will be aware, the Local Government Act imposes certain requirements on local governments to prepare draft budgets, issue them for public consultation and hear public submissions in respect of the draft budget. Traditionally, this process occurs through late May and early June to enable council budgets to be adopted by 1 July each year.

The proposed time lines in the valuation amendment bill will create uncertainty in council budget preparation as the draft budget framed in May each year cannot be ratified until the minister issues the generally true and correct certificate.

He goes on to say that he has attached a paper prepared by a group of municipal valuers that highlights these concerns and others that are raised. I will not go through all those concerns, but there certainly are some issues of costs, timeliness, the lack of transparency and the issue of the data and the privacy of the data. It also talks about the inducement of the valuer-general not to charge back the cost of appeals to valuations where councils opt in, which goes against competition. As they say, it effectively represents a government subsidy that creates competitive disadvantage to valuation firms, councils and their staff seeking to service local government clients.

I will not go through all of the issues, but I would like to put on record the names of those valuers who responded: Bill Graham, city valuer, City of Yarra; David Archer, city valuer, City of Darebin; David Corrigan, city valuer, Shire of Mornington Peninsula; Gino Mitrione, manager of property and valuation services, City of Whittlesea; Peter Fitzgerald, city valuer, City of Stonnington; Peter Kemm, manager of valuations, City of Banyule; Ray King, manager of valuations, City of Manningham; Russell Anthony, manager of valuations, Shire of Bass Coast; Stephen Hendy, manager of valuations, Shire of Macedon Ranges; Stephen Lush, manager of valuations, Mildura Rural City Council; Tony Peak, manager of property, City of Whitehorse; and Wayne Forbes, manager of property, City of Greater Bendigo. As members can see, that is a broad spectrum of people who are professionals in their industry from right across metropolitan, regional and rural Victoria. The government must listen to this. It is really important that the government takes on board those issues.

I hope the government considers these concerns and addresses them. The coalition will have further discussion with a number of those stakeholders, and it will further its position when the bill is debated in the upper house.

Mr CRUTCHFIELD (South Barwon) — I certainly have great pleasure in speaking on the Valuation of Land Amendment Bill 2009. I note that the dissertation from the member for Shepparton was long and thorough, but it concentrated on some of the negatives that may have emanated from a discussion paper. The government put forward a discussion paper in December 2008, and there are a number of key messages that I particularly want to articulate in the brief time that I have. The amendments to the Valuation of Land Amendment Bill 2009 were to give councils the option of transferring their biennial revaluation responsibilities to the valuer-general. Originally the discussion paper said that that would be mandatory, but certainly where we are today is that there is choice around that particular issue, and councils can determine in their own way and in their own time what suits their own needs and constituencies.

If they opt in, there is the possibility to opt out at a later date. There is no doubt that the consultation paper led by the Department of Sustainability and Environment and the valuer-general — and I want to congratulate DSE and the valuer-general's staff on the very professional way they ran this consultation process — prompted some disagreement. There is no hiding from the fact that the original discussion paper, which talked about enforcement of a global evaluation opportunity

for councils, was opposed by a large number of councils.

They were perhaps confused about the potential benefits they may receive. That was despite a number of submissions from lobby groups supporting a more global valuation process. Whilst there were objections — and certainly the Minister for Environment and Climate Change, Gavin Jennings, acknowledged that and we made amendments to our original discussion paper — it is not true that there was 100 per cent opposition to the proposal. In fact some councils in their submissions suggested there would be some cost benefits for them. Some rural councils suggested that promoting or accessing professional valuers in some areas of the state was difficult and that they had a cost imposed on them because they were rural. Others could see the benefits of having an ability to access a statewide valuation system which is similar to what other states have. Whilst it is true that the general response from the Municipal Association of Victoria, the Victorian Local Governance Association and a number of councils was that they wanted the option, it is not true that there was universal opposition.

If you put out a discussion paper, my understanding is it is exactly that: it is a discussion paper that allows people to put forward different views. I have seen some media reports where *The Nationals* in particular have claimed some sort of victory, which I find quite bemusing. This is an allowance for councils and other interest groups to quite properly conduct themselves in a consultation process which the government allows. You need a point to discuss from, and certainly the original point that the government put forward was one that the majority of people opposed. If I can quote from the *Wangaratta Chronicle*, the heading is 'Relief over valuations' — —

An honourable member interjected.

Mr CRUTCHFIELD — It is a fine journal. The subheading is 'State government listens to council concerns, will not force changes affecting local ratepayers'. Nowhere in this article does it intimate that *The Nationals* or the Liberal Party somehow took a baseball bat to the government and influenced its views. That would certainly be far from the view that anyone — unless they had a particular partisan view — would acknowledge, so I congratulate councils for their strong and quite forceful views about having this as an option.

In conclusion, other key messages include that, importantly, the bill creates a statewide database which will give all councils access to quality data and will

remove a number of inefficiencies and duplications. Other states have this. It will be a statewide database like other states have, and certainly it will be useful for the industry and indeed the broader community to be able to access that particular database. There are more advanced valuation techniques and web-based valuation systems which will result in a much more consistent and uniform valuation process across the state. Certainly we would argue that there will be less red tape. Indeed there is free access to the web-based valuation system, and it is free — there is no impost on councils, or indeed the broader community, to access that valuation system.

Councils that transfer their rating authority across to the valuer-general will not have to bear the cost of defending those valuations at the Victorian Civil and Administrative Tribunal. I would argue that is a significant cost benefit to those councils that bring their valuations across to the valuer-general.

I am certainly not saying that all 79 councils in Victoria will come across. I think as the education process extends, as a number of councils see the cost benefits to their particular municipalities — understanding that some councils still have in-house valuers and others subcontract out — they will determine what is best for their ratepayers. Ultimately the cost-benefit ratios will determine that councils will end up with the valuer-general. This is a bill worthy of support, and I note that the opposition is supporting the bill.

Ms ASHER (Brighton) — I wish to make a few comments about the Valuation of Land Amendment Bill 2009, which we do not oppose and which is in the jurisdiction of the Minister for Environment and Climate Change.

This bill was designed to solve a problem — that is, there is a disaggregated database of land valuations across the state. Initially the Labor Party, in our view, took the wrong approach to solving the problem, but I have to say the bill before the house represents a much better approach which gives choice — a favourite word on this side of the house — to councils. I wish at this stage to congratulate the member for Shepparton because she contacted all of the councils and ran a campaign with councils about this, and I am pleased to see that the bill before the house reflects the approach that the member for Shepparton has argued for for some time.

Land valuation is vital to our culture and our state. Indeed there is \$2.5 billion in council rates dependent on it, and sadly \$1.2 billion in land tax is also dependent on it. There is a vast range of individuals and

businesses who, for legitimate reasons, need to know the value of land in many circumstances right across local government areas.

The problem that the government legitimately wanted to solve in this process that it embarked upon is that because of the view that the councils own their valuations, if in fact you are a land-holder or you have an interest in purchasing land, for example, in Victoria, you would in practical terms have to contact 79 municipalities to find out the value of certain items of land. Clearly that is not an efficient position for government, for water authorities, for businesses, for individuals or indeed for the state. So the government announced by way of a discussion paper that it intended to centralise that operation, and there was an outcry. The thing about outcries is they are never universal. Some councils were completely relaxed about the approach; other councils were not, but there was an outcry. There is a range of different methods used by councils to value land. Many councils wanted to keep the process in-house or exercise their own rights to contract valuers to value land, and we on this side of the house recognise that different councils have different approaches. It is called choice. It is a very important value in our society.

The government issued its discussion paper, and the bill that has ended up before the house has taken the very sensible approach advocated by the member for Shepparton — that is, that councils may opt in or opt out at any time of their choosing. Councils can now choose whether they would like the valuer-general to value land within their municipalities or not. But still, and I think this is an important part of the bill before the house, there will be a statewide database under the control and administration of the valuer-general.

One of the very interesting things that will emanate from that will be a whole range of privacy provisions, and again the second-reading speech makes very clear that land will not be able to be searched on the basis of individuals who own it and there will be significant elements of privacy. I call on the minister, when he sums up the debate on this bill, to again emphasise that individuals' rights to privacy will be preserved in the manner outlined in the second-reading speech, because I think people have some rights of privacy over land they may or may not own. I would suspect members of Parliament, more than any other occupational group, would understand the sensitivity concerning the right to privacy in relation to who owns what piece of land, particularly if it is residential.

I want to make a brief comment on the issue of valuations, which are determined under the Valuation

of Land Act 1960. Most people's property acquisition is the greatest purchase of their lives, and most people, certainly those in my electorate of Brighton, like to look at their rate notice and see how the value of their land is going along.

It may interest members to know that, according to the Valuation of Land Act, there are a number of categories which determine the valuation of land which we receive on our rate notices or, for those of us who are private investors — I am not in land, but there are others in this chamber who are — the land value we get on our land tax bill. The valuer is required to take into account sales of other land, the use to which land is put, the effect of government acts and regulations or local laws and the impact they may have on the land, the size, the shape and topography, the soil quality, the situation and aspect of the land and the situation of the land with respect to natural resources, transport and other facilities and amenities. Under the act the valuation of land is also dependent on the extent, condition and suitability of any improvements on the land and the actual and potential capacity of the land to yield a monetary return. They are the legalities of how land is valued.

In conclusion, I wish to refer to the government's publication that was put out in relation to this called the *Rating Authority Valuations Initiative*. It is a coloured brochure like those usually issued by the government. I note more than anything the sensitivity of the government to the issue of land tax. Valuations of land go directly to the amount of land tax the government collects — in this case \$1.2 billion. I note that on two occasions in the second-reading speech the minister went out of his way to say that the bill does not change valuation methodologies, and it does not. Normally it would amend the land tax rate or land tax thresholds. That is twice mentioned in what is a small second-reading speech. On the pamphlet about this bill the government has a whole page under the heading 'Land tax facts'. It goes out of its way to say:

Fact: no-one pays land tax on their principal place of residence — this equates to more than 2.1 million residences.

The government also dismisses those people who do pay land tax. It says:

Fact: less than 16 per cent of Victoria's 2.5 million rateable properties attract land tax.

I would not be so dismissive of those 16 per cent of Victoria's properties that incur land tax because this is a really big problem for the government, particularly in terms of small business owners, self-retirees and people

who are trying to carve out some superannuation, some money for their future.

I want to home in on the fact that the government has gone out of its way to make the point again that no-one pays land tax on their principal place of residence. Under the Cain and Kirner administrations they did pay land tax on the principal place of residence. I also note that under the Henry federal review the federal government has floated the possibility of tax being paid on the sole and principal place of residence. I also note that in other Labor states there is land tax on the sole and principal place of residence. I wonder why in a pamphlet on this bill this Labor government feels the need to assure people that no-one pays land tax on their principal place of residence. I hope that will continue, but there are examples in other Labor states of land tax being paid on the sole and principal place of residence. I call on the minister when summing up to reassure us that this piece of propaganda on this bill will hold firm and the government's long-term position will be that there will be no land tax payable on the sole and principal place of residence.

Mr STENSHOLT (Burwood) — I am delighted to speak on and support the Valuation of Land Amendment Bill, which is a product of the Minister for Environment and Climate Change and also the excellent work of the valuer-general, Robert Marsh, and his staff. I thank them for that.

I note the comments made by the member for Brighton, but she has no credibility. What hypocrisy when it comes to land tax! There she was as the Minister for Small Business in the former Kennett government sitting around the cabinet table when they lowered the threshold for small business to \$85 000. She has no credibility when it comes to talking about land tax.

The purpose of the Valuation of Land Act is to establish processes for the administration of land valuations used for rating and taxing throughout Victoria. I also note the member for Brighton was talking about the issue of land tax and conflict of interest. It seems to be an absolute furphy. Councils do valuations, which they then use to set rates, in which case you could make an argument that there could be conflicts of interest in the valuer-general doing valuations of land as the basis for assessing land tax, and then that all councils basically have a conflict of interest, which the member for Shepparton might be interested in. This argument is an absolute furphy in terms of logic.

I note also that the member for Shepparton quotes the City of Boroondara. I had coffee with Jack Wegman

the other day. We often discuss a range of issues, as one should do with local councillors. Of course I make no attempt to influence them, but we discuss the common good for our community. I have been happy to do that on many occasions, because we have a common interest and a common belief in serving our local community.

I note the member also mentioned a lot of valuers and quoted them. I have not seen the letter, but she mentioned them. I note there are only eight councils that do their valuations solely in-house. There are two councils that have not fessed up to what they do, one of which is in Benalla. I am sure the member for Benalla will be able to fix this when he gets home and says to the council, 'Can you talk to the valuer-general and tell him what you are going to do next year, because time is getting short?'. There are four councils that do a bit of a mixture between contracting out and doing some in-house valuations. The rest, about 67 of them, contract the valuations out.

Many of the people whom the member for Shepparton referred to are actually contract managers rather than the people who do the valuations. Let us put a few facts on the table here in terms of understanding how things are done when it comes to valuations.

As has been described by the member for South Barwon — it is also set out in the second-reading speech and was mentioned by the member for Shepparton — the bill provides councils with the opportunity to transfer responsibility for completing rating authority valuations to the valuer-general and for the valuer-general to become the custodian of the statewide evaluation data. In terms of that statewide data, that particular aspect is very important. I am very pleased that at the last revaluation, which was the first since the introduction of the valuation best practice, all municipalities in the state generally received the true and correct certification.

I know there have been some problems with valuation in the past. There were some problems in Camberwell, in the city of Boroondara, a few years ago. The local traders came and talked to me; we had discussions with the council about the problems and concluded that mistakes had been made in evaluating some businesses in the Camberwell shopping centre. I liked to work very closely with small businesses in and near my constituency because I was the only Labor member in Boroondara at that stage. Those traders came and talked to me. We had a look at that problem, and we got some advice and assistance. In the end they did not seek to put in an objection to the valuation because they were

probably undervalued. Because small business likes certainty I said, 'You had better start saving your pennies, because next time it comes to valuation you will be paying more. You need to plan for that', et cetera.

We now have valuations every two years. I know the member for Brighton was going on about this, saying, 'In the good old days of Kennett'. They were the seven dark years. In fact they used to do valuations every four years.

Ms Kairouz — Every six years.

Mr STENSHOLT — Even six before that. That was terrible for small business. Every year a figure was plucked out of the air and they said, 'Okay, this is how much it is going up'. When it came again four or even six years later, and particularly in a rising market, there were some dreadful shocks. People were saying, 'Whoa! What happened?', because there was no consistency to the process and it was not done sufficiently frequently. Now we do it every two years. One year people will get the bill and, yes, it is on the basis of a new valuation. But the next year they know it will be exactly the same. In terms of land tax, unless there has been a change in the land tax, and we have successfully cut land tax again and again —

Mr Weller interjected.

Mr STENSHOLT — That is not true. The member for Rodney has this completely wrong. If he gets up in Parliament and says that, he is misleading the Parliament. In fact there have been changes that have lowered the rates of land tax. Members have to get it right. They have to know what they are saying and get it right.

Land tax has been cut again and again. If we had to follow the member for Box Hill, we would all be on 3 per cent, which would be a flat land tax. We would be paying far more than people pay now in terms of percentage because, from memory, the top is only 2.25 per cent.

Ms Beattie — A flat earth tax!

Mr STENSHOLT — A flat-earth, yes. It would be the same as in a few countries; I will not mention them because most of them are Third World countries.

This bill is a very sensible bill in that respect. As other members have said, it provides the option for councils to opt into this, but we have a universal system and we have been improving it. One of the achievements of the Bracks and Brumby governments has been in

improving our valuations. As I said, last time all councils got it generally true and correct. We have ironed out some of the bubbles in the system; we have much better methodology, as the member for South Barwon mentioned; and we are looking forward to everybody working together to further improve the system and to come up with one database for the properties. I know the valuer-general is working on a whole range of aspects relating to specialist property guidelines, including marinas, which I am sure the member for Brighton will be very interested in. There are no marinas in my electorate, but there may be some in the electorates of other members.

Mrs Powell interjected.

Mr STENSHOLT — There are none in Shepparton that I know of.

Mrs Powell interjected.

Mr STENSHOLT — The member for Shepparton confirms that there are no marinas in Shepparton.

I am very pleased these improvements are coming to pass. I note the proposed changes will come into effect on 1 May 2010, and I take heed of the words of Jack Wegman. But I am sure there will be a good deal of common sense and planning. I know some councils have already started because the revaluation contracts are in place. For the 2010 valuations 77 have submitted the first stage of the assessments — and this is at June 2009 — and some 554 278 of the 2 554 000 assessments had already been submitted at that stage. I know there is a whole process to go through in terms of stages 1, 2, 3 and 4 — sorry, I left out 3a; there is always a 3a or a 3b somewhere or other when it comes to stages — and of course the specialist properties have to have final valuations. It is not easy; it is a very volatile market at the moment and I am sure it will be a bit of a task. I think this is good, sensible legislation and I commend the bill to the house.

Mr MORRIS (Mornington) — It is in fact a pleasure to rise to speak on the Valuation of Land Amendment Bill 2009. When we first started discussing this matter — and I have actually lost track of whether it was earlier this year or late last year, but it is of about that order — I was not envisaging that the legislation resulting from the process would be particularly palatable. But I must say, perhaps with the exception of a few technical issues that have been identified, I think the outcome is actually not too bad.

The bill is the culmination of a relatively lengthy process and, as I said, it is quite different. I should perhaps highlight the differences in the approach of the

Minister for Environment and Climate Change in this regard compared to the approaches of the Minister for Planning and the Minister for Local Government in terms of their abilities to consult and to produce an outcome which is acceptable to the wider community, because I think with this bill we have a largely good outcome that is acceptable to the majority of people. There are some issues with it, but it is a very big improvement on the original process.

As I said, the original proposal, which has now been somewhat derailed, was a takeover of yet another local government function by the state. The argument was run that we are the only state that remains largely decentralised and that perhaps we are paying more than others for our valuations. The figures I saw indicate a somewhat different story; they largely indicate that our cost per assessment was considerably lower than many of the others. These sorts of valuations have historically been done by local authorities, whether they be local governments, roads and ports authorities or whatever. Even though there is local government heritage involved in this issue, I think it is important to recognise that municipal valuers have always been responsible to the valuer-general, at least for as long as I can remember. They have not had to report to the municipal clerk or the municipal engineer, whoever that is. They have always been responsible to the valuer-general for the exercise of their duties. To pick up the point made by the member for Burwood, conflict of interest is one of the reasons for doing that. There is obviously not much expertise amongst municipal clerks about the valuation process, and it ensured the independence and integrity of that process.

The history of decentralisation has largely been that individual assessments have been necessary. It was put to us that in the modern era there is lots of technology, we have lots of capacity to ordinate the process and, perhaps in substantial areas of the state, there is a certain sameness and a certain common value of land. It is possible to do a sum based on the area of a home, for example, and come up with a valuation, but once you get away from established and mundane areas and out to an industrial or commercial property, or perhaps more importantly into rural areas, it is a very different picture.

I remember talking to, I think, the valuer-general of the day sometime in the early 1990s, when I was also having a vigorous discussion with the grants commission about the allocation of grants to the then Shire of Mornington. The point was made at the time that during a period when there had been no sales of property for 10 years in an area of land that is now in

the electorate of the member for Lowan there was no data and no way to ordinate the process and local knowledge was paramount. That is probably the history of it. One of the important things that is achieved with the bill we are talking about tonight is that if a council chooses to retain the local process, it has the ability to do it. It is not a takeover in that sense; the ability remains to localise it.

The core purpose of the bill identified in clause 1 is to give further powers to the valuer-general. There are other largely consequential changes. I do not mean 'consequential' in the sense we often use the word in terms of changes to other acts, although there are some of those, because largely they are outcomes of a change of emphasis. Part 2 contains amendments to the Valuation of Land Act and part 3 contains amendments to a series of other acts. The thrust of the bill in the form in which it has been introduced is to give councils the option, if they so choose, to transfer their responsibilities for rating authority valuations to the valuer-general. The fact it is not now mandatory is an important thing.

The bill inserts a number of definitions. I will not go through them all, but I think there are two of interest as concepts: the definitions of 'valuation authority' and 'valuation record'. A valuation authority establishes a concept not dissimilar to a responsible authority in terms of planning legislation, where the default position for the valuation authority is the council and the option is to nominate the valuer-general to undertake the task. The valuer-general then becomes the valuation authority. The second new concept is the definition of 'valuation record', which is 'the record of general and supplementary valuations'. That gives rise to what will be a centralised database, which is established under proposed new section 7C.

The privacy aspects of the change in new section 7D are significant. I think the member for Brighton has already made this point, but it is an important one. I am sure everyone involved will pick it up, but I will say it because it affects the public: people do not seem to worry about information being held within a council, but when the information is transmitted — in the briefing we talked about the possibility of information with identifiers attached being transmitted to the valuer-general's office — it is important that identifiers be removed from the information before it becomes available for wider dissemination. As I have said, I have absolute confidence that that will happen, but it is something that needs to be underlined as far as the public is concerned.

The bill provides opportunities for other rating authorities to participate and to make use of information. We already have some water authorities making use of information. That is a practice that will continue. It will be in a slightly different form. There is also the opportunity for potential new authorities and authorities like the growth areas authority to use information in implementing a growth areas infrastructure contribution tax. Perhaps that is something that will happen later down the track. Other provisions that are retained are the opportunity for the rating authority — whether it be the valuer-general or municipal council — to charge fees to offset to some extent the cost of actually doing the valuation. I know from the many budgets I did with the Shire of Mornington that that was an important part of the budget. It is probably not quite as important now, but it is still a significant matter for local councils.

As I said earlier, the member for Shepparton mentioned some technical issues — the generally true and correct issues — that arose after the briefing. No doubt they can be discussed once the bill is away from this place.

To conclude, this is yet another change to the traditional role of local government. It is not bad, but it is a change. It is moving local government in the direction of being a service delivery authority, and I am not sure we want that to be the case.

Mr LIM (Clayton) — I rise to speak in support of the bill. It is pleasing to note that the opposition supports the bill. There is no doubt that the Valuation of Land Amendment Bill 2009 is good public policy. This legislation will provide for greater information and transparency, the streamlining of administrative procedures and, importantly, options for those councils that struggle to complete valuations due to their resources or remote locations. As such, the bill is good for consumers and business and for the economic efficiency of the state.

The bill provides that councils may voluntarily transfer their responsibility for completing a valuation, including management of the valuation objection and appeal process, to the valuer-general. A council will be able to decide whether it or the valuer-general is to be responsible for completing a valuation at the commencement of each biennial — two-yearly — valuation cycle.

The cost of return of the valuation will still be met jointly by the state government and each municipality. In addition to the voluntary transfer by municipalities of responsibility for completing a valuation, amendments will be progressed to enable the valuer-general to

become the custodian of statewide valuation data. This is very important. Although the valuer-general will become the statewide custodian of valuation data, councils will retain their right to use their own council data for their own purposes.

The bill is a good example of the strength of consultation. Prior to the introduction of legislation a discussion paper entitled ‘The future direction of rating authority valuations in Victoria’ was put out. The original proposal in that paper was for a fully centralised valuation system. It is interesting to note that while some councils supported this, it was opposed by others. The provision in the bill allowing councils to decide at the commencement of each rating cycle whether they or the valuer-general will complete the valuation is a sensible way forward. It will ensure that those councils which need the support of a centralised system will receive it, especially in those rural areas where it is difficult to attract valuers on a competitive basis.

Interstate there is access to statewide databases, but in Victoria applications for information have had to be on a council-by-council basis because of the lack of centralisation. This has meant that individual members of the public have had to identify the specific council and businesses owning a number of properties and have had to lodge applications with a number of councils. It has also made statewide modelling of data difficult.

Making the valuer-general the holder of the information will provide for consistency of data and ease of access for consumers and business. This will cut red tape and assist policy analysis. Nevertheless, as I mentioned earlier, councils will still retain the right to use their own data. Also it should be stressed that the release of data will comply with information privacy requirements. I commend the bill to the house.

Dr SYKES (Benalla) — I rise to contribute to the second-reading debate on the Valuation of Land Amendment Bill and to build on the discussions and presentations made by previous speakers. The bill in its current form is a victory for common sense and a great credit to the terrier-like persistence of the member for Shepparton. She has been able to galvanise councils and the people of Victoria to put pressure on the Labor government to come up with the choice for councils to opt in or out of this proposition, which at the time it was first presented was going to compulsorily involve councils in a scheme that had a number of flaws, or about which there were a number of concerns, regarding the way the process was to be implemented. The member for Shepparton presented her case very reasonably. I will expand and highlight some aspects of

the case she argued so well that we have achieved this great outcome. As I said before, it is a credit to her.

What we had was a government putting out a paper for discussion during the holiday period. We have seen time and again the government go through this nominal, Clayton's process of consultation and trying to sneak something through under the radar. It was a credit to the member for Kilsyth that he got onto this at an early stage in January, during the holiday period, and flagged that there was something smelly about what was being proposed. The member for Shepparton, in her capacity as the shadow Minister for Local Government, then got onto the case. As a result of her campaigning and alerting the councils of Victoria, she came up with a summary of concerns.

The key point is that there was overwhelming reluctance to accept the proposition as put by the government in the first instance. I repeat: there was an overwhelming reluctance. I say that for the benefit of the member for South Barwon who tried to downplay the reaction of local government to this apparently centralised power grab by the Brumby government.

I will now talk about the issues of process. There was a lack of prior consultation, an attempt to develop a proposal during the holiday period, doubt about the predicted cost savings, doubts about the quality of improvements, doubts about the quality of the data and doubts about the level of customer service that could be provided to ratepayers in the event of a centralised approach. As indicated, there were also concerns about the short time frame of the consultation period.

The member for Shepparton raised those issues along with concerns about the claimed reduction in the cost of carrying out this process if it was centralised. The member for Shepparton was able to present information that showed that the average Victorian cost of the valuation process was in the order of \$8.80 per valuation whereas the range under centralised processes was more in the range of \$12 to \$22. There were also concerns about the integrity of data. At the end of the day the member for Shepparton said this bill should not be supported in its current form.

The responses from local government to the campaign mounted by the member for Shepparton and Nationals members were significant. The member for South Barwon is back in the house. For the member's benefit I make the point that this was a significant win for The Nationals and for the shadow Minister for Local Government because she alerted local government to what was going on. I have seven local government

areas in my electorate and five of them provided me with an indication of how they felt about the situation.

The first was from the Rural City of Wangaratta which was extremely unhappy with the proposition. An article appeared in the *Wangaratta Chronicle* of 16 March 2009 under the headline 'State move slammed'. That article states:

The Rural City of Wangaratta has slammed a state government proposal to take over the management of property valuations.

The editorial in the *Wangaratta Chronicle* reinforced that view.

The Rural City of Benalla was not at all happy. Benalla Rural City Council was concerned about the Big Brother involvement and expressed its concerns to the Victorian Farmers Federation at a local level. The Shire of Strathbogie also expressed its concerns and moved this motion:

That Strathbogie Shire Council opposes the proposal for the valuer-general to centralise the valuation functions to the state government and recommends that council enter into a licensing agreement with the valuer-general to provide access to valuation data for commercial and policy purposes.

There we have yet more opposition to the centralisation.

Mr Nardella interjected.

Dr SYKES — The Shire of Murrindindi also expressed its concerns and asked The Nationals to speak up on behalf of country people to address the issues being raised by the city-centric Brumby government. The Shire of Mansfield was less concerned in the early days but I believe as time progressed it realised that the problems identified by the member for Shepparton were real problems, and that we needed people like the member for Shepparton, small in stature but big in heart, to stand up to the arrogant Brumby government and deliver. And the member for Shepparton did deliver. She delivered an outcome that members of the Brumby government have conceded is a good outcome.

The approach adopted by the member for Shepparton was to put pressure on the government through the release of a large number of media releases. One thing we know about the Brumby government is it may show contempt for the parliamentary process but it is amazing how its members read all of the papers. The government has a cast of thousands in its media unit who read the local papers and pick up the vibes. Just in case the member for Melton has not picked up the

vibes, there is a rumble in the jungle out there and you may be very interested to see the outcome.

The ACTING SPEAKER (Mr Jasper) — Order! The member, through the Chair.

Dr SYKES — I turn now to the contribution of the member for Brighton. She touched on the issue of the use of land valuations. In my electorate we have seen a very interesting example recently where the basis of land valuations has been applied to the rental fee for land adjoining the Goulburn Weir. A government agency, Goulburn-Murray Water, decided that there would be two fee bases for establishing a fee. One was the grazing value, which was established at \$100 per hectare. The second was an ambience fee and that is a fee which is based on the premise that having access to weir frontage delivers an ambience. Instead of the fee being \$100 per hectare, the Brumby Labor government has decided that the ambience fee should be in excess of \$1000 per hectare.

Thus we have a situation where the Brumby government, given licence to set the valuations, is imposing a wealth tax or, as described by one of the locals, a jealousy tax. In the few seconds I have remaining, given that particular example of abuse of the valuation process by the Brumby government to impose a wealth tax on country Victorians, I commend the member for Shepparton for her persistence and for her demonstration that it is not the size of the dog in the fight, but the size of the fight in the dog to win this fantastic outcome. Well done, member for Shepparton.

The ACTING SPEAKER (Mr Jasper) — Order! Before calling the member for Keilor I am happy to call the member for Melton if he wishes to stand in his place, rather than interjecting across the chamber. I am sure he will not interject during the contribution of the member for Keilor.

Mr Nardella — I might.

Mr SEITZ (Keilor) — I think this bill is well timed and well tuned to the modern day. As we become a smaller country through the advances in modern technology and communications, there is a need for us to modernise our acts and our laws. It makes sense therefore to have a centralised database of rate valuations in the office of the valuer-general. In the time of the 1960 act, where distance was a factor and technology was less developed — we did not have the internet, the global positioning system or satellite communications — it made sense for councils to have responsibility for the management of property valuations.

I listened to the contributions of speakers for The Nationals. Smaller shires always cry poor mouth because they do not have a large enough rate base to fund their services. If they were to opt into the new arrangement, they would save on the costs of maintaining a database which would require computers and other equipment. In addition a small shire does not have the buying power; it will not be able to engage a cheap valuer and contractors will come in to do the work. However, if the valuer-general goes out and bids for a private valuation company, he is able to negotiate a price which will be set. The alternative is for all of the 70-odd councils to bid on their own behalf in an effort to enter into cheap contracts for their respective work. All members will know that before the amalgamation of councils, the bigger the council or municipality, the more savings could be achieved in expenditure on auditors, valuations and all that goes with it.

I commend the bill to the house because it makes sense and it brings the management of land valuations up to date. I encourage all those councils that have been mentioned by members in their contributions to opt in because if they do not, they will do a disservice to their own communities. I know people always fear change. Some country councils and even municipal areas in Melbourne also do not want change, but this is not a change for the worse; it is a change for the better. Services will be provided to the broader community which will save ratepayers money. With those few words, I commend the bill to the house.

Mr DELAHUNTY (Lowan) — I will make a few brief comments because I know there are limits on the time to debate the Valuation of Land Amendment Bill 2009. I have listened with interest to other members, including the member for Shepparton who is the shadow Minister for Local Government.

My comments will concentrate on the bill's effect on local government. In a previous life I spent a fair bit of time in local government.

Mr Nardella interjected.

Mr DELAHUNTY — I was also a commissioner, as the member for Melton has rightly said. I am proud to say I had some good involvement there.

Valuations and ratings have always been controversial, and I do not think people truly understand the ramifications involved. It is only when they look closely at their rates notices and do a bit of homework that they fully understand.

A discussion paper titled the *Future Direction of Rating Authority Valuations in Victoria* was released last year.

I am also aware that the shadow minister wrote to all 79 local governments, the Municipal Association of Victoria and the Victorian Local Governance Association. There were mixed responses early on. There was strong opinion from local governments that they did not want to have to opt in. The government made a major change, and it has provided councils with the option to opt in or opt out, but it again is very different from the original proposal.

From a country point of view there are major concerns particularly about the predicted cost savings. I have never seen this type of operation go ahead and generate true cost savings. I will be watching with a great deal of interest.

There is a concern about the councils losing control. We see it all too often. People in my electorate live more than 300 kilometres from Melbourne. People who live in Melbourne do not always have a true understanding of what happens in country Victoria. It would be a good idea if some people from the different departments were to come out and spend a bit of time in country areas. Even if you are looking at valuations, you cannot always do it on a computer. There are different soil types and those types of things that need to be taken into account. Unless you have a true understanding of the area, you would not be able to get a proper valuation.

But also there is concern about the integrity and accuracy of data. We have seen many mistakes made, and not having an appropriate level of customer service in the local council area would take away some of the services to ratepayers in the area.

There are some concerns with this legislation. I am pleased to see there has been some change to the original option and that a common-sense decision has been made to allow councils to be able to opt in or opt out. There are many other concerns to be raised, but I know there is a shortage of time. With those few words, again I will not oppose this legislation at this stage.

Ms KAIROUZ (Kororoit) — It is my pleasure to contribute briefly to the debate on the Valuation of Land Amendment Bill 2009. Because of the time restrictions I will be very brief, but I would like to say it is pleasing to see the opposition is supporting the bill.

This bill represents the culmination of an extensive review and consultation process that was led by the Department of Sustainability and Environment and the valuer-general. Stakeholder views were canvassed through the release of a discussion paper in December 2008. The government has listened to what the

stakeholders had to say, and basically the bill reflects their views. As noted by the member for Brighton and other members, this bill does not change any underlying valuation methodologies, nor will it amend the land tax rate or the land tax thresholds.

Valuations are used for many purposes, as we know and as was mentioned by other members, such as setting limits for the sale of land and purchase of properties, setting rental levels, determining compensation following the compulsory acquisition of property, asset accounting and management, lending and associated financial dealings, property settlements, property rating and taxation systems, and property portfolio analysis.

The amendments contained in the Valuation of Land Amendment Bill 2009 will provide councils with the option of transferring their responsibilities for rating authority valuations to the valuer-general. It will also provide for the creation of a single, statewide valuation database, more advanced valuations techniques and web-based systems, and of course it will provide many cost benefits.

Not that long ago I was dealing with the issues of land valuations in my previous life as a councillor on the Darebin City Council. When I was first elected to Darebin council revaluations occurred every six years, and it was very difficult for us as local councillors to explain to people why that occurred. Now it occurs every two years. But people found that with such a huge jump — for example, from, say, 1993 to 1999 or 1998 before that — they were not able to budget for these big increases. At Darebin we used a mixture of both staff valuers and contractors, an option that I believe worked well. However, on many occasions ratepayers accused council of deliberately overrating properties so that the council could increase the revenue. With the changes and this new option there will be more transparency and accountability in the revaluation processes.

The bill provides greater flexibility in the delivery of rating authority valuations by enabling the transfer of responsibility to the valuer-general if the council chooses to do so. It also enables the creation of a single, statewide valuation database, and it enables more advanced valuation techniques and web-based systems. It will deliver cost benefits and provide support for councils that require it. Not all councillors are able to get their own valuers or even go out and value the properties themselves.

I think this is good legislation, it is fair legislation, and this legislation is about choice. I commend the bill to the house.

Mr CRISP (Mildura) — I rise to make a contribution on the Valuation of Land Amendment Bill 2009. The purpose of the bill is to make further provision for processes under the Valuation of Land Act 1960, to give further powers to the valuer-general, and to make provision for other matters. One of the main provisions in the bill is the provision that inserts new definitions for ‘council general valuation’, ‘municipal district’, ‘notice of valuation’, ‘relevant municipal district’, ‘valuation authority’, ‘valuation record’ and ‘valuer-general general valuation’ and amends the definitions of ‘urban farm land’ and ‘general valuation’. Another provision enables the valuer-general to make valuations on behalf of a council, to establish and maintain valuation records, to make the data available for public benefit and to insert relevant sections in the act for that.

A third provision that I will talk about allows councils to decide whether they will retain or transfer responsibility for the valuation function, and allows for a council which has decided to transfer responsibility to the valuer-general to reclaim responsibility if they wish. That one in particular is the one that has caused the most concern to the councils in my electorate, mostly because they are concerned about the costs that would be incurred with the valuer-general and centralised valuation. They are also concerned about loss of control and understanding of some of the issues within their electorates. Additionally, within my electorate there is concern about land tax, and this is something I am sure the house has heard a great deal about. Land tax is an issue, and centralised valuations have led to speculation that this could well be used to further inflate land tax.

I would like to pay tribute to the member for Shepparton for the work she has done in ensuring that councils have the option to opt out, as that is ever so important. As I understand it, a great number of councils are going to opt out of this and maintain the valuation process. With that I am not opposing principally that the opt-out clauses were included for councils. That takes the heat out of a great deal of those concerns.

Mr BATCHELOR (Minister for Community Development) — I want to thank those members who have contributed to the debate this evening, particularly the members for Shepparton, South Barwon, Brighton, Burwood, Mornington, Clayton, Benalla, Keilor, Lowan, Kororoit and Mildura. As members would have heard in the debate, this bill is an outcome of a process

that has shown a caring and responsive government. It has shown how prepared we are to listen and to act. That is why we have brought back this bill, a bill that we believe will provide a world-class valuation system that will provide for a fair and equitable distribution of rates for property owners.

The bill represents the culmination of an extensive review and consultation process led by the Department of Sustainability and Environment and the valuer-general, which included significant stakeholder consultation. It is important to note that the bill does not change any underlying valuation methodologies, nor does it amend the land tax rate or the land tax thresholds. It is important to note that, because there was some confusion on the other side. We cannot state that clearly enough. I suspect, however, given the nature of those on the other side, that there will still be some confusion and they will try to peddle this confusion. That is their nature.

The bill provides councils with the option of transferring their responsibilities for rating authority valuations to the valuer-general. The government has listened to those councils, as I said at the outset of my contribution, that do not want to transfer their valuation responsibility at this stage. That is why an opt-in model has been established. We are happy to do that.

The bill also creates a single, statewide valuation database. This is a sensible, rational thing to do in this day and age. The bill enables more advanced valuation techniques and web-based systems, and all councils will use the new Web interface to submit their valuation data to the valuer-general and can also choose to use the system as a tool to develop their valuations, if that is what they want to do.

You can see that this is a sensible, rational and caring outcome following a long consultation period. Accordingly, I recommend this bill to the house.

Motion agreed to.

Read second time; by leave, proceeded to third reading.

Third reading

Motion agreed to.

Read third time.

LAND LEGISLATION AMENDMENT BILL*Second reading***Debate resumed from 2 September; motion of Mr BATCHELOR (Minister for Community Development).**

Ms ASHER (Brighton) — I wish to make a few comments about the Land Legislation Amendment Bill 2009, which the opposition does not oppose. This bill is an interesting one in the sense that it is not themed at all. There is a significant number of disparate changes with no theme whatsoever, other than the fact that most of them relate to land. On the face of it, most of them are low level, and I understand that many of them relate to longstanding problems where stakeholders and operatives in the field have requested administrative changes.

The bill amends a number of acts: the Transfer of Land Act 1958, the Subdivision Act 1988, the Surveying Act 2004, the Geographic Place Names Act 1998 and the Forests Act 1958. Most of the bill relates to changes to land administration. As the second-reading speech advises members of Parliament, Land Victoria registers something like 700 000 land transactions per annum, representing about \$60 billion worth of property. So the streamlining of processes and modernisation of the acts are very relevant.

First, I will turn to some of the elements of change under the Transfer of Land Act. I do not propose to go through every single change. I will try to theme some of these. There is a range of repeals of redundant provisions, and there is a reference to the justice statement 2. We are told that amendments are consistent with this statement. At page 15 the statement says the government will:

Identify and implement the reforms needed to update the Property Law Act 1958 and Transfer of Land Act 1958.

This review, the second-reading speech advises us, has yet to commence, so clearly there will be further amendments to the Property Law Act in due course. Page 16 of the justice statement indicates:

The government will reform the legislation governing land ownership in Victoria. It will consult with stakeholders about perceived problems with the current legislation and opportunities for improvement.

Clearly the government wishes to theme these changes in accordance with the justice statement.

There is a range of changes under this bill. Examples are that references to duplicates and triplicates have

been removed because they are redundant and that there is reform of the time frames to make all the time frames under the act consistent. It will be 30 days for everything rather than a disparate number of days, depending on certain circumstances.

There is removal of references — for example, a reference to a seal. Obviously this is the electronic age and there is no need for seals any more. Some obsolete provisions are being removed. For example, in the case of a lost grant or certificate the requirement previously was to have advertisements in a newspaper. This is now out of date. There are references being removed in recognition of the fact that people no longer have to travel and no longer do a certain number of days have to pass in this electronic age. There is a correction of errors in the bill, and an inconsistency with the Corporations Act has been addressed.

I think the major change is a change to the court jurisdiction which may apply. The change is from the previous definition of one court to now a 'court of competent jurisdiction'. There is a reference to the Attorney-General's justice statement 1 of May 2004, in which the government made it clear that it wished to embark on reforms in this area. At page 27, under the heading 'Jurisdiction', the justice statement says:

Modernising criminal procedure also requires examination of the jurisdictions currently exercised by the criminal courts. Higher courts should not be congested by more minor offences, and the lower courts should not be required to adjudicate serious matters that require the skills and authority of a higher jurisdiction.

The justice statement goes on to indicate the government's fundamental premise, which is reflected in the bill before the house, and that is, and I quote:

The basic principle for allocation of jurisdiction should be that matters are heard in the lowest appropriate jurisdiction.

In fact, there is a reference to this in the second-reading speech. The statement goes on:

The two key elements for defining the lowest appropriate jurisdiction are the seriousness of a case and its complexity.

The statement says at page 28:

The government will review those offences currently only triable in the County Court with a view to identifying any which may be appropriately dealt with in the Magistrates Court.

The government has introduced for itself in this bill some flexibility by using the definition of a 'court of competent jurisdiction'. I am sure it is a sensible step but we will see how it progresses in reality. Obviously

cases will be cheaper in the Magistrates Court and under this definition it will be possible for matters to be heard in other courts.

There are a number of other amendments to the Surveying Act in this bill. The government rewrote the Surveyors Act and a new act commenced in 2005. The principal changes under this bill include introducing an annual registration. I understand that retired surveyors were irritated that they had to pay the same fee as current practising surveyors, which is fair enough — the retired surveyors in some circumstances wish to keep their licences but obviously to pay a lesser fee. The end effect of this at clause 77 is that there will be different classes of surveyors, and that seems to be a sensible reform made in response to the profession.

The bill also looks at the capacity of the board to require training in areas other than cadastral surveying, and again there would appear to have been consultation with the profession on that. There are some changes to the practices for dealing with unprofessional conduct. I am advised there was an omission in a case where a surveyor may have admitted to wrongdoing, but there is clearly no need to go through the process for unprofessional conduct where that has occurred, and the bill institutes that change.

The bill also introduces one change to the Geographic Place Names Act. The rationale for this is that the term of appointment for the registrar of geographic names is currently three years. This position is normally held by the surveyor-general and the surveyor-general's term of appointment is five years. This bill simply extends the term for the registrar of geographic names from three years to five years, which is the same term as the surveyor-general who usually concurrently holds those two offices.

As the house can see, these changes will not impact on the way Victoria operates. They are routine changes in response to modernisation, if you like, and practical problems that the government wishes to rectify. There are changes to the Subdivision Act which will allow the registrar to refuse a plan of subdivision if there are unclear street addresses, so that there can be adequate emergency services access. There are also changes to owners corporations, and on the face of it they seem to be sensible.

Finally, there is a change to the Forests Act. This is to fix an error or, as the government calls it, 'an omission' from a previous bill that was debated in this house. We not so long ago debated the Crown Land Acts Amendment (Lease and Licence Terms) Bill which allowed the minister to grant 20-year licences;

however, the fact that the minister needed a power to grant access to permits was omitted. So we have here yet another example of the Brumby Labor government botching its legislative program and having to come before the house and rectify yet another error — a Forests Act change in a bill principally dealing with land.

As I said earlier, most of these changes appear to be technical changes, many of which are worthwhile, many of which simply modernise these acts that I have discussed. The coalition has consulted quite widely on this, and from our consultation it would appear that no-one is opposed to these clauses, but we can wait. Knowing this government's track record, we can wait for that. However, in some circumstances there appears to be support from practitioners for these changes. With those few words, I indicate that the coalition does not oppose this bill.

Mr CRUTCHFIELD (South Barwon) — It is with great pleasure that I rise to speak on the Land Legislation Amendment Bill 2009. I note that this bill is clearly not contentious. The temperature on the other side of the house was not raised. It was quite a considered and amicable response from the member for Brighton. There was one little transgression, but other than that it was generally one of strong support. That is not surprising. This is a bill that is mechanical in nature; it is about streamlining and modernising a number of acts. The bill's objective is to amend the Transfer of Land Act 1958, the Subdivision Act 1988, the Surveying Act 2004 and the Geographic Place Names Act 1998. It repeals a number of redundant or outdated provisions in those acts and makes some consequential amendments. Lastly, this legislation makes some miscellaneous amendments to the Forests Act 1958 to reflect the role of the minister in granting licences and permits under that act.

I will not go into too much detail in respect of each of the individual acts. This bill proposes some amendments to the Transfer of Land Act, and I note that the opposition is not objecting to these amendments. The proposed amendments, if I can be quite broad with regard to the specifics of the act, make definitional changes and improvements to customer service — about which there has been some feedback — and increase clarity for users. It is certainly an act of considerable vintage, so there is no doubt there will have been changes in interpretation over that time. These amendments will give additional clarity for users of this particular act and give some operational consistency over the breadth of the act. This legislation removes some redundant and out-of-date provisions in

the act, as it does with a number of other amendments to other acts.

The amendments to the Subdivision Act 1988 are technical and clarifying in nature. They are not of any significance. I note that there are no objections to the changes to that particular act.

The changes this legislation makes to the Surveying Act 2004, with which I am sure the Acting Speaker would be very familiar, are very minor in nature. It provides the Surveyors Registration Board of Victoria with some flexibility in the licensing of surveyors. I am a good friend of a surveyor who was retired for a number of years and then went back into the profession. He was certainly a complainant with regard to additional annual fees that he needed to pay. Following the implementation of the principal act a number of minor amendments were proposed. In particular this is about an annual licensing fee for surveyors replacing the lifetime licensing regime which was incumbent on my particular friend and which was in place under the Surveyors Act 1978. The annual licensing fee has been accepted, but there was some unrest amongst retired surveyors or surveyors who had not practised for a period of time about the impost of that. The particular amendment fixes the requirement for them to pay a registration fee as practising surveyors. They have argued over a considerable period of time that they should be able to pay a lesser fee for registration.

The other two sets of amendments relate to the Geographic Place Names Act 1998 and the Forests Act 1958. They are again mechanical in nature. They streamline, they modernise, and I note there is no opposition to them.

Mr CLARK (Box Hill) — The Land Legislation Amendment Bill 2009 is a bill to amend the Transfer of Land Act 1958, the Surveying Act 2004, the Subdivision Act 1988 and the Geographic Place Names Act 1998 and to make minor amendments to the Forests Act 1958. As the member for Brighton put so effectively, there is no core theme to this bill. It shows every sign of being a miscellaneous collection of amendments that departmental officers have been trying to get onto the legislative agenda for years — and they have finally succeeded. Having had a window of opportunity, they have seized it to the full and have put forward a wide range of amendments which they no doubt expect — and we hope they are right — will significantly improve the relevant legislative provisions.

I would like to commend the shadow minister responsible for this bill, the shadow Minister for

Environment and Climate Change and member for Southern Metropolitan Region in another place, David Davis, and the member for Brighton, who represents the coalition parties in this house, for the considerable amount of work they have dedicated to coming to terms with the wide range of provisions in this bill.

To look first of all at the amendments to the Transfer of Land Act 1958, they replace the definition of ‘conversion scheme’. They substitute a new definition of ‘court’ to refer to a court of competent jurisdiction. They make various amendments to different provisions in the act to reflect this. There is an amendment to the definition of ‘instrument’ to include a plan of subdivision. There is the insertion of a definition of ‘register’ to mean the register of land kept under section 27 of the act.

There are repeals of various provisions that are considered to be obsolete. Various sections will be amended to create a uniform time period of 30 days. An amendment will require the nature of the interest held by a proprietor to be recorded on a folio, and there is a range of other amendments as well.

Similarly, there are various amendments to the Surveying Act 2004, such as picking up a new type of unprofessional conduct. The amendment to the Geographic Place Names Act provides that a registrar may be appointed for a period up to five years, increased from three at present. Amendments to the Subdivision Act relate to the master plan and other matters, and an amendment is made to the Forests Act to provide that the minister may grant permits for up to 20 years for specified purposes.

There have been some concerns raised by surveying and development groups concerning additional rigidities introduced by the bill, but the opposition has not received any feedback in opposition to the bill, and we do not oppose it.

Mr CAMERON (Minister for Police and Emergency Services) — It is a pleasure to join the debate. These amendments are really about modernisation. When Torrens title was introduced in Victoria in 1862 we saw a fundamental change in the way land tenure occurred in this state. Since that time it has been important and has been incumbent on successive governments to maintain what in 1862 was a modern system, and it fundamentally remains a modern system because of changes that successive governments have always pursued. That has been because of the broad nature of the legal profession and the importance of making changes as we go forward. You would have to say the Minister for Environment and Climate

Change has done a tremendous job to make sure that we have got ongoing reform, even though there have been many few small changes, to make sure that we have a good land tenure system in this great state.

Business interrupted pursuant to standing orders.

ADJOURNMENT

The ACTING SPEAKER (Mr Nardella) — Order! The question is:

That the house do now adjourn.

Rail: Lilydale station

Mrs FYFFE (Evelyn) — My request for action is to the Minister for Police and Emergency Services, and I am pleased to see he is in the chamber. Currently Lilydale train station is monitored by 16 closed-circuit TV (CCTV) cameras. I am sure the minister would love to listen to this. These cameras give our law enforcement agencies the opportunity to record and respond to violent attacks and people spraying graffiti, vandalising property, stealing or harassing innocent commuters.

I am advised by Cr Terry Avery, who is also a member of the police force at Lilydale, that there are two problems with the current set-up. There are numerous blind spots at the Lilydale train station where criminal behaviour cannot be detected. Lilydale police would like to see an additional 14 CCTV cameras installed in order to eliminate the blind spots that currently exist at the train station. This would bring the total number of CCTV cameras at the station to 30.

Lilydale police station lacks the monitors required to be able to effectively examine in real time what is being recorded by the CCTV cameras. Cr Avery informs me that it would cost between \$10 000 and \$20 000 for the monitors and hardware to connect the CCTV cameras directly to the Lilydale police station. With the construction of the new Lilydale police station, the project may be considered incomplete without the monitors and hardware to support our local police in their wonderful work of making our community safer by apprehending criminal offenders.

I believe that a \$20 000 investment for this technology would represent excellent value for Yarra Valley residents, who I have found from my recent law and order survey are deeply concerned about personal safety, particularly when travelling on public transport. I would be the first person to object if we were heading down to the 1984 scenario of George Orwell's classic novel where we were being consistently surveyed. I would like to quote from *1984*:

It was terribly dangerous to let your thoughts wander when you were in any public place or within range of a telescreen. The smallest thing could give you away. A nervous tic, an unconscious look of anxiety, a habit of muttering to yourself — anything that carried with it the suggestion of abnormality ...

In this day and age we need these CCTV cameras. Whilst we must never become complacent about our individual rights, we must get the balance right between a safe society and civil liberties. At the moment many people are worried that the balance has been tilted in favour of protecting the civil liberties of offenders to the detriment of a peaceful and lawful society.

I ask the Minister for Police and Emergency Services to provide funding in the budget for the extension of these CCTV cameras.

Schools: illuminated speed signs

Ms MARSHALL (Forest Hill) — I rise in the house tonight to raise a matter with the Minister for Roads and Ports. The action I seek is for the minister to support the installation of electronic speed signs outside primary schools in the Forest Hill electorate. This is an important initiative that provides even clearer direction to drivers regarding the appropriate times to slow down and be aware around our schools, because children are the most vulnerable of all road users.

Current statistics from VicRoads illustrate that pedestrians account for around 14 per cent of deaths and 10 per cent of serious injuries on Victorian roads. Pedestrians are four times more likely to be killed in a crash than all road users involved in road accidents. For instance, in the city of Whitehorse, which encompasses the electorate of Forest Hill, 10 pedestrians aged between 4 and 16 years were injured in the 2007 calendar year. By taking this extra measure I hope motorists will be alerted to the importance of slowing down when driving past school campuses.

School speed zones are designed to improve road safety outside schools whilst taking into account issues such as traffic volume, peak school pedestrian hours and of course school holidays. Electronic speed signs take away the guesswork for motorists in calculating school hours and obviously help to keep our schoolchildren safe. After speaking with a number of constituents at recent community morning teas, I was elated to hear the support for the installation of electronic speed signs throughout Victoria and pleased that so many were eager to see the rollout extend to Forest Hill.

This house is aware that in 2008 the Brumby government announced a \$13.6 million program to install 600 electronic speed signs outside 200 Victorian

schools. These were initially targeted at schools in 70-kilometre-an-hour zones and schools on roads with high traffic volumes in 60-kilometre-an-hour zones. Earlier this year the minister announced an expansion of this program, and now more than 800 signs will be put outside more than 250 schools. I urge the minister to consider schools in the Forest Hill electorate that would benefit from the expansion of this program.

This is about taking every step to save young lives and obviously to help prevent serious and possible fatal injury. Electronic speed signs are just one of the measures the Brumby government is taking to keep our children and all road users safe. I fully support the current measures being taken to decrease deaths on our roads, whether it is increased road safety education for school students or the installation of electronic speed signs. I ask that the minister help to protect the most vulnerable in our community — our children — by ensuring that electronic speed signs are installed where appropriate in Forest Hill.

Colbinabbin Primary School: funding

Mr WELLER (Rodney) — I wish to raise a matter for the attention of the Minister for Education regarding Colbinabbin Primary School and its concerns over the Victorian Department of Education's management of the federal stimulus package. The inflexibility demonstrated by both the Brumby and Rudd governments in delivering this package has been extremely disappointing, and I ask the Victorian education minister to work more closely with the Colbinabbin Primary School to ensure this critical infrastructure investment achieves optimum outcomes.

Colbinabbin Primary School received a grant of \$600 000 through the Building Education Revolution (BER) program. Naturally the school welcomed the investment offered, but the school council has expressed serious concerns about the inflexibility afforded by the Victorian education department to enable the school to satisfy its individual needs.

Like many schools across my electorate, and right across the state, Colbinabbin Primary School has been pressured to spend the funds on facilities which do not meet its specific needs. The choices regarding the expenditure of BER funds were virtually non-existent, and the school was obliged to accept a building model that was inflexible and did not take into consideration the recent substantial expenditure by the school on existing buildings. This inflexibility has meant that between \$60 000 and \$70 000 of local school funds

invested in improvements to existing structures as recently as last year has been wasted.

To make matters worse, the building project, which was scheduled to commence on 1 August this year, has now been re-tendered, adding a further delay of up to six weeks before a builder is appointed. The constantly shifting deadlines and unknown time frames impose difficulties on staff trying to organise and manage school resources and physical spaces to provide a quality education to the students. The delay also means the school risks losing around \$30 000 in National School Pride funding, which must be spent before 31 January 2010. The school had planned to spend this money on a covered outdoor area, but this cannot occur until the new building's exact footprint is established by a yet-to-be-appointed builder. The Colbinabbin Primary School applied for an extension to this expenditure deadline but has been denied, placing the National School Pride project in serious jeopardy.

It is critical that these funds deliver value for money to Colbinabbin Primary School and other schools in a similar situation across Victoria. I urge the minister to work more closely with the school to ensure that the funds granted by the federal government are invested wisely and that the future viability of the schools is guaranteed and their individual needs are met. I also urge the minister to lobby the federal government to grant Colbinabbin Primary School a time extension on the spending of the National School Pride funding.

The ACTING SPEAKER (Mr Nardella) — Order! Just before I call the honourable member for Gembrook I remind honourable members that they can seek only one action.

Beaconsfield-Emerald Road: upgrade

Ms LOBATO (Gembrook) — I raise a matter for the Minister for Road and Ports. The action I seek is for the minister to provide funding to enable safety improvements to be made to Beaconsfield-Emerald Road. For many years the road has been problematic due to its character, particularly around Upper Beaconsfield. The stretch from Upper Beaconsfield to Guys Hill has been particularly notorious for run-off-road, single-car crashes. The road is steep and windy, and when drivers do not drive according to the speed limits and weather conditions accidents along this stretch are likely. I drive along this road many times every week and have seen countless accidents. They are always single-car accidents and occur mostly in the wet. People must drive according to conditions.

Over the last five years the road has been the scene of 56 casualty crashes, including 6 which involved fatalities, and three-quarters of the crashes were run-off-road crashes. Over several years I have called for measures to improve safety along this stretch of Beaconsfield-Emerald Road, particularly advocating for the installation of guardrails and shoulder sealing. Several Upper Beaconsfield residents have reported to me that cars frequently end up in paddocks. One resident reported that they can no longer leave their horse in a paddock which is adjacent to the road because cars come off the cliff and end up in the paddock.

VicRoads responded to my concerns by developing a proposal to address these issues as well as make other improvements to the rest of the road. I was pleased to have been successful in my plea for a repair to the section between Princes Highway and Inglis Road, which is now a smooth and much safer stretch of the road that is free of potholes. Then there is the section between Upper Beaconsfield and Emerald, which is also a winding road and many parts of it are showing surface damage. The safety proposal also recommends reducing the speed limit along one stretch from 100 to 90 kilometres an hour and along another stretch from 80 to 70 kilometres an hour, which is supported by the Cardinia Shire Council and Victoria Police.

Beaconsfield-Emerald Road carries much traffic, particularly from the hills communities, with people accessing the growth corridor for shopping, education, employment and entertainment. As I have said, the road is a winding road and is heavily lined with trees. The roadside also accommodates much wildlife that is anxious to cross the road, and the road is often difficult to navigate at night. To improve driver safety and for all the reasons I stated I request that the minister support and provide funding for the multimillion-dollar proposal for residents within the electorate of Gembrook.

University of Melbourne: faculty of the VCA and music

Mrs VICTORIA (Bayswater) — I rise to ask the Minister for the Arts to immediately offer funding to the University of Melbourne to preserve the unique teaching model of the Victorian College of the Arts within the faculty of the VCA and music.

In recent months, since the realisation by all involved that practical training was diminishing at a considerable rate, staff, students and industry representatives have fought to have the changes made public. Today in the Legislative Council a motion was moved to allow

members to debate the future of the VCA under the Melbourne University model. Members on all sides of the house spoke glowingly of the quality of teaching and the calibre of graduates, most acknowledging that this is all about to change for the worse. Nobody dared vote against the motion. There was much toing-and-froing about whether it was the duty of the state government to intervene and provide funds to ensure practical training is not lost. I am offering clarification to the house on this point.

In 2005 Phil Honeywood, the then member for Warrandyte, detailed what had occurred when he was a minister. In his speech on the Higher Education Acts (Amendment) Bill he said:

... under the previous Kennett government we found \$125 million at the worst time of the state's economic record — having inherited a \$33 billion debt — to separately fund from state government resources 5000 additional university places. It was an incredible effort by the state government at the time.

A precedent exists: the Kennett state government funded university places. Now we have a government which has just clocked up 10 years in office, is addicted to taxes, fines and levies and is able to spend copious amounts of money on spin doctoring. In fact it spent more than McDonald's or Qantas on ads in Victoria last year. Compare how many careers could be developed for just \$6 million as gap funding against what will be achieved by the \$4 million just spent on the Working Victoria ads. These ads do not create a single job, whereas specialised university courses do.

A few days ago the Leader of the Opposition took a stand on the VCA and its future. He promised that a Baillieu-led government would ensure the shortfall of up to \$6 million, which is currently preventing the VCA from fulfilling its purpose, would be remedied; that VCA's previous independent and autonomous status would be returned to it if Melbourne University could not adequately meet the requirements of the VCA; that the college would be able to provide practical training, teaching and instruction in accordance with the needs and requirements of a school of the arts; and that the VCA would have full control over and direction of its curriculum and the operation and structure of its schools and courses. This is a future arts minister who truly understands the benefits of specialty training and the industry. I ask the current minister to immediately match these commitments and help save the VCA.

Hampton Park Bowls Club: funding

Ms GRALEY (Narre Warren South) — I would like to raise a state-related matter with the Minister for Sport, Recreation and Youth Affairs. It concerns the need for new toilet facilities at the Hampton Park Bowls Club. The club is a vibrant and welcoming sporting club in my electorate, and I have spoken about it previously in this place. The action I seek from the Minister for Sport, Recreation and Youth Affairs, whom I am glad to see is in the house, is to look favourably upon the City of Casey's application for another community facility funding program grant in the minor facilities category to build new toilets at the club.

The Hampton Park Bowls Club is a great place for locals to meet, socialise and play a few rounds of bowls. It is a great place for beginners to try their hand at the sport and for the more experienced to find a serious challenge. In fact the Hampton Park Bowls Club is competitive in both men's and ladies competitions. They even tried to teach me how to bowl, but I was not too good at it. Because of this atmosphere, which the club's leadership has worked very hard to develop and maintain, the club has flourished and now boasts over 70 active members. This expanding membership has meant that the club's facilities need to grow as well.

In the 2008–09 financial year the Hampton Park Bowls Club received a community facility funding program grant in the minor facilities category to construct a second synthetic bowls green. I am delighted to report that thanks to this Brumby Labor government the green is due to be finished by the end of this year. I know every member at that club is looking forward to bowling on the new green, and they know who has helped them out.

However, an additional bowling green is expected to cause a happy problem for the club as attracting even more members will mean that the current toilet facilities, which are shared with the Hampton Park Senior Citizens Centre, will not be sufficient.

The Hampton Park Bowls Club has been let down by the council before. Members have felt that some of the much-needed improvements have taken a bit too long. I now rise in this place to make sure our state government steps in to help out in a generous and timely manner. The club is an important part of the sporting and community fabric of Hampton Park. I know that the Hampton Park community renewal committee, which I work closely with, shares this view

of the club and, along with the rest of the Hampton Park community, stands behind the proposed works.

Hampton Park supports this project — and it deserves our support. I have no doubt that with a bit of help the wonderful people who are working so tirelessly to keep Hampton Park Bowls Club so active and lively can make the club an even better place for people to relax, socialise and enjoy themselves while playing a friendly game of bowls. The ladies at the club especially are great at providing fabulous social activities, and they have their Pink Ribbon Breakfast coming up in October. Well done Shirley and Gwen! The Hampton Park Bowls Club deserves our support, and I hope we can get it a favourable response.

Bushfires: community preparedness

Dr SYKES (Benalla) — I raise an issue for the Treasurer. I ask that he allocate adequate funding for all communities considered at risk of severe fires to undertake clean-ups, fuel reduction burns and other fire risk reduction strategies ahead of the impending extreme risk fire season. A few weeks ago the Premier announced 52 communities considered at risk of catastrophic consequences should they be exposed to fire. Interestingly none of those communities were in north-eastern Victoria. However, there are several other categories of communities considered at risk, and they include 20 communities in the Benalla electorate. They are Falls Creek, Mount Buller, Mount Hotham, Bright, Eildon, Harrietville, Jamieson, Mansfield, Mount Beauty, Murchison, Myrtleford, Sawmill Settlement, the Strathbogie Ranges, Tolmie, Wandiligong, Glenrowan, Whitfield, the Cheshunt area and the Woods Point-Kevington area.

As I understand it, the Brumby government has committed \$500 000 to help the highest risk communities prepare for the fire season. However, I make a plea for support for all communities at risk because I know that many of the at-risk communities are in shires severely affected by the 2003, 2006–07 and 2009 bushfires. The local governments there, the Country Fire Authority (CFA) and the Department of Sustainability and Environment (DSE) have their resources stretched to the absolute limit dealing with the clean-ups and the rehabilitation following on from those fires. They have committed to fuel reduction, but they need the support of the government. We know that just this week Shaun Lawlor from the DSE highlighted the importance of fuel reduction in the containment of severe bushfires.

I also draw the Treasurer's attention to the Strathbogie community. The Strathbogie Tableland Action Group (STAG) has initiated a working party to develop an emergency information or resource kit containing local and regional emergency and safety information that will provide members of the community with the resources to plan and prepare for the bushfire season and in the event of a major fire help them deal with it. This group is working closely with the shire, the CFA, the State Emergency Service and the police to develop this tool. It is also conducting workshops to help local people develop skills such as developing their own fire plans and learning to use an ultra high frequency radio and to operate a fire pump. STAG is prepared to make this pro forma available to other communities. I seek the Treasurer's commitment to funding all communities preparing for the forthcoming fire season.

Bushfires: contractors

Ms GREEN (Yan Yean) — Tonight I call on the Minister for Consumer Affairs to take action to protect bushfire-affected homeowners against unscrupulous contractors seeking to take advantage of this vulnerable group of people. It is a huge task to rebuild after the tragic impact of the February bushfires and the government-funded post-bushfire clean-up effort is now officially complete, with registered properties in bushfire-affected areas being cleared by Grocon and its contractors.

Since the clean-up began in early March, some 400 000 tonnes of bushfire-affected material has been transported to appropriate landfills around the state by around 600 workers, with 150 crews working at the height of this operation. I want to commend the crews, who undertook this task at a much greater speed than was expected, for their great sensitivity and support for homeowners in this really difficult situation, and we must understand that often there were human remains amongst the debris.

The clean-up and demolition operation has been voluntary and is available to any person who owns property affected by the fires. Properties are cleared for free, and people can still register their property as part of the clean-up operation and demolition program or they may apply for reimbursement if they cleared their property prior to 27 February 2009.

In relation to the next steps there is a range of supports for bushfire-affected homeowners which are coordinated by the Victorian Bushfire Reconstruction and Recovery Authority. Archicentre is offering a free home design service with the support of Wood Naturally Better and James Hardie. It is a free home

design service for bushfire-affected Victorians planning to rebuild their primary place of residence using attractive, lightweight, non-combustible materials. The free design service is normally valued at more than \$2000 and includes a site meeting with an architect, a bushfire attack level assessment, a concept design and a construction cost estimate. The free offer is valid until 31 December this year, and homeowners are under no obligation to hire the architect to build their home. Should homeowners decide to proceed with the concept design, it is up to them to arrange the preparation of more detailed drawings which can be submitted to councils for approval.

Tonight a member of my staff met with the Rebuilding Blocks project, a group of volunteer tradespeople who are, in the majority, bushfire survivors themselves dedicating their time to assisting fellow survivors in rebuilding their homes. They are currently operating out of the Whittlesea Community Services Hub. Anyone in the local community wanting to access these great volunteers can find them at a specific desk at the Whittlesea bushfire hub. I thank them for their work. I call on the minister and urge him to do all in his power to protect vulnerable homeowners in bushfire-affected areas. I will be at the Whittlesea Show with information about protecting consumers.

Metropolitan Ring Road: north-east link

Mr KOTSIRAS (Bulleen) — I wish to raise a matter for the attention of the Minister for Roads and Ports. The action I seek from the minister is that he undertake an open and transparent consultation process with residents in the vicinity of the proposed north-east link before any decision is made. The consultation process should include residents of Bulleen, Heidelberg, Rosanna and Viewbank because their lifestyle, their wellbeing and their security are at stake. According to a Hudson Bond Real Estate newsletter, residents in these areas should be afraid of this government and the way it has handled this major project. According to the newsletter:

According to VicRoads, detailed engineering investigations to determine the social, environmental and economic factors relating to the project are under way.

There are concerns that the fast-tracking will provide less opportunity for community input during the planning phase.

...

The final alignment and design of the road will only be determined after the detailed planning phase ... homeowners will not know the impact, positive or negative, this link will have on their property prices until the planning phase is completed.

Since the opening of the EastLink the bottleneck at the Hoddle Street exit of the Eastern Freeway has become worse.

I believe the proposed north-east link will add to this traffic jam. The government needs to accelerate its efforts to resolve the daily congestion at the Hoddle Street exit before another link is added to the Eastern Freeway.

The process is very important.

Ms Green interjected.

Mr KOTSIRAS — If the single brain cell of the member for Yan Yean which is fighting for dominance would just once stop! The worst thing is that the member for Yan Yean will never be in opposition because she will lose her seat. That is the worst thing that is going to happen to the member for Yan Yean.

It seems the residents living in the suburbs are in danger. The prices of their houses will go down. It is unfortunate the government has dumped the current member for Ivanhoe, because he opposed an above ground freeway link. Its new candidate is mute — he is not saying a single word. He is simply a puppet and a mushroom who will be added to the other mushrooms who sit on the other side of this chamber. I ask the minister to ensure that an open and transparent consultation takes place before any decision is made, because, as I said, the wellbeing, lifestyle and security of residents is at stake. We know this government has good form in refusing to listen to people.

Victoria University: campus closures

Ms DUNCAN (Macedon) — It is a pleasure to follow the member for Bulleen, who resorts to name-calling as a sign of his sophisticated debating skills. The matter I raise is for the attention of the Minister for Skills and Workforce Participation. I ask the minister to direct Victoria University to work with the state and federal governments and the local community to ensure that post-compulsory education continues to be provided to Sunbury and the surrounding community. I know that this is an issue that you, Acting Speaker, also feel very strongly about.

Members may recall that the Victoria University council determined in 2008 to close its Sunbury campus and announced it would cease enrolments there in 2009. Local members of Parliament, including the member for Melton and me, as well as the minister, implored the university to reconsider its decision, particularly in light of the fact that the Bradley review was still being conducted at that time. Our concerns were about the general provision of education, the potential for redundancies and disruptions for the

current students. Victoria University stated it would work with various authorities and would have a transition plan in place that would ensure the continuation of post-compulsory education in Sunbury.

It is particularly concerning therefore that Victoria University is proceeding with this decision and is now moving to close the Sunbury campus without a clear plan to ensure the continuation of post-compulsory education for this community. No transition plan appears to be in place. This decision disadvantages students in north-western Melbourne and in regional Victoria.

I have — and I know the minister previously has — written to Victoria University to urge it to reconsider its decision. It is clear it intends to proceed with its decision to vacate this site. I understand Victoria University is an autonomous institution that is responsible for managing its own internal operations. However, I ask the minister to direct Victoria University to work with Skills Victoria and other appropriate state and federal authorities to honour its commitment to current and future students in our region and ensure there is a transition from Victoria University to another post-compulsory education provider.

In correspondence from Victoria University to me dated 5 March 2009 the vice-chancellor, Liz Harman, stated that Victoria University was continuing to look for ways to find uses for both the Melton and Sunbury campuses that would provide future post-education options locally. I urge Victoria University to honour this commitment and the minister to do all she can to ensure this occurs.

Responses

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — The member for Narre Warren South raised with me the matter of an application to the community facility funding program for \$60 000 to improve amenities and changing rooms at the Hampton Park Bowls Club. As the member outlined, this is an area of community renewal, and one that the Brumby government has invested in heavily.

I was in Hampton Park just a couple of months ago visiting the Cairns Road Recreation Reserve to announce details of the Go for Your Life Active Places program, which targets the marginalised and the socially disadvantaged in the community. There was \$80 000 to be rolled out to design programs to boost physical activity and improve the overall health and fitness of residents. This new program in Hampton Park will reach out to and engage people who have a low

participation in sport and recreation or no participation. This will be done through a range of organised activities such as walking groups, cycling groups, life ball and come-and-try days at local sporting clubs. The aim of the program is to encourage the community to take advantage of the open space and leisure and sporting facilities in the area.

Obviously Hampton Park is an area of high focus for the Brumby government and particularly for the member for Narre Warren South. This proposed project would add to the opportunities for Hampton Park residents. I will take the member's comments and strong support for the Hampton Park Bowls Club project into strong consideration. I look forward to making further announcements across the whole of the community facility funding program in coming months.

I will refer the other matters raised to the relevant ministers for their action.

The ACTING SPEAKER (Mr Nardella) —
Order! The house is now adjourned.

House adjourned 10.31 p.m.