The Governor
JOHN LANDY, AC, MBE

The Lieutenant-Governor
Lady SOUTHEY, AM

The ministry

Premier and Minister for Multicultural Affairs ....................... The Hon. S. P. Bracks, MP
Deputy Premier, Minister for Environment, Minister for Water and
Minister for Victorian Communities ................................ The Hon. J. W. Thwaites, MP
Minister for Finance, Minister for Major Projects and
Minister for WorkCover and the TAC ............................... The Hon. J. Lenders, MLC
Minister for Education Services and Minister for Employment and
Youth Affairs ....................................................... The Hon. J. M. Allan, MP
Minister for Transport ............................................. The Hon. P. Batchelor, MP
Minister for Local Government and Minister for Housing .......... The Hon. C. C. Broad, MLC
Treasurer, Minister for Innovation and Minister for State and
Regional Development ................................................ The Hon. J. M. Brumby, MP
Minister for Agriculture ............................................ The Hon. R. G. Cameron, MP
Minister for the Arts and Minister for Women’s Affairs ............ The Hon. M. E. Delahunty, MP
Minister for Community Services and Minister for Children ........ The Hon. S. M. Garbutt, MP
Minister for Manufacturing and Export, Minister for Financial Services
and Minister for Small Business ..................................... The Hon. A. Haermeyer, MP
Minister for Police and Emergency Services and
Minister for Corrections ................................................ The Hon. T. J. Holding, MP
Attorney-General, Minister for Industrial Relations and Minister
for Planning .......................................................... The Hon. R. J. Hulls, MP
Minister for Aged Care and Minister for Aboriginal Affairs ......... The Hon. Gavin Jennings, MLC
Minister for Education and Training .................................. The Hon. L. J. Kosky, MP
Minister for Sport and Recreation and Minister for
Commonwealth Games ................................................. The Hon. J. M. Madden, MLC
Minister for Gaming, Minister for Racing, Minister for Tourism and
Minister assisting the Premier on Multicultural Affairs ............. The Hon. J. Pandazopoulos, MP
Minister for Health .................................................... The Hon. B. J. Pike, MP
Minister for Energy Industries and Resources ........................ The Hon. T. C. Theophanous, MLC
Minister for Consumer Affairs and
Minister for Information and Communication Technology ....... The Hon. M. R. Thomson, MLC
Cabinet Secretary ....................................................... Mr R. W. Wynne, MP
Legislative Council committees

Privileges Committee — The Honourables W. R. Baxter, Andrew Brideson, Helen Buckingham and Bill Forwood, Mr Gavin Jennings, Ms Mikakos, the Honourable R. G. Mitchell and Mr Viney.

Standing Orders Committee — The President, the Honourables B. W. Bishop, Philip Davis and Bill Forwood, Mr Lenders, Ms Romanes and Mr Viney.

Joint committees

Drugs and Crime Prevention Committee — (Council): The Honourable S. M. Nguyen and Mr Scheffer. (Assembly): Mr Cooper, Ms Marshall, Mr Maxfield, Dr Sykes and Mr Wells.

Economic Development Committee — (Council): The Honourables B. N. Atkinson and R. H. Bowden, and Mr Pullen. (Assembly): Mr Delahunty, Mr Jenkins, Ms Morand and Mr Robinson.

Education and Training Committee — (Council): The Honourables H. E. Buckingham and P. R. Hall. (Assembly): Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.


Family and Community Development Committee — (Council): The Hon. D. McL. Davis and Mr Smith. (Assembly): Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

House Committee — (Council): The President (ex officio), the Honourables B. N. Atkinson and Andrew Brideson, Ms Hadden and the Honourables J. M. McQuilten and S. M. Nguyen. (Assembly): The Speaker (ex officio), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

Law Reform Committee — (Council): The Honourables Richard Dalla-Riva, Ms Hadden and the Honourables Geoff Hilton and David Koch. (Assembly): Ms Beard, Ms Beattie, Mr Hudson, Mr Lupton and Mr Maughan.

Library Committee — (Council): The President, Ms Argondizzo and the Honourables Richard Dalla-Riva, Kaye Darveniza and C. A. Strong. (Assembly): The Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

Outer Suburban/Interface Services and Development Committee — (Council): Ms Argondizzo and Mr Somyurek. (Assembly): Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

Public Accounts and Estimates Committee — (Council): The Honourables W. R. Baxter, Bill Forwood and G. K. Rich-Phillips, Ms Romanes and Mr Somyurek. (Assembly): Ms Campbell, Mr Clark, Ms Green and Mr Merlino.

Road Safety Committee — (Council): The Honourables B. W. Bishop, J. H. Eren and E. G. Stoney. (Assembly): Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

Rural and Regional Services and Development Committee — (Council): The Honourables J. M. McQuilten and R. G. Mitchell. (Assembly): Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Naphthine and Mr Walsh.

Scrutiny of Acts and Regulations Committee — (Council): Ms Argondizzo and the Honourable Andrew Brideson. (Assembly): Ms D’Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

Heads of parliamentary departments

Assembly — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey
Council — Clerk of the Legislative Council: Mr W. R. Tunnecliffe
Parliamentary Services — Secretary: Dr S. O’Kane
MEMBERS OF THE LEGISLATIVE COUNCIL
FIFTY-FIFTH PARLIAMENT — FIRST SESSION

President: The Hon. M. M. GOULD

Deputy President and Chair of Committees: Ms GLENYS ROMANES

Temporary Chairs of Committees: The Honourables B. W. Bishop, R. H. Bowden, Andrew Brideson, H. E. Buckingham, Ms D. G. Hadden, the Honourable J. G. Hilton, Mr R. F. Smith and the Honourable C. A. Strong

Leader of the Government:
Mr JOHN LENDERS

Deputy Leader of the Government:
Mr GAVIN JENNINGS

Leader of the Opposition:
The Hon. PHILIP DAVIS

Deputy Leader of the Opposition:
The Hon. ANDREA COOTE

Leader of The Nationals:
The Hon. P. R. HALL

Deputy Leader of The Nationals:
The Hon. D. K. DRUM

<table>
<thead>
<tr>
<th>Member</th>
<th>Province</th>
<th>Party</th>
<th>Member</th>
<th>Province</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argondizzo, Ms Lidia</td>
<td>Templestowe</td>
<td>ALP</td>
<td>Jennings, Mr Gavin Wayne</td>
<td>Melbourne</td>
<td>ALP</td>
</tr>
<tr>
<td>Atkinson, Hon. Bruce Norman</td>
<td>Koornang</td>
<td>LP</td>
<td>Lenders, Mr John</td>
<td>Western</td>
<td>LP</td>
</tr>
<tr>
<td>Baxter, Hon. William Robert</td>
<td>North Eastern</td>
<td>Nats</td>
<td>Lenders, Mr John</td>
<td>Waverley</td>
<td>ALP</td>
</tr>
<tr>
<td>Bishop, Hon. Barry Wilfred</td>
<td>North Western</td>
<td>Nats</td>
<td>Lovell, Hon. Wendy Ann</td>
<td>North Eastern</td>
<td>LP</td>
</tr>
<tr>
<td>Bowden, Hon. Ronald Henry</td>
<td>South Eastern</td>
<td>LP</td>
<td>McQuilten, Hon. John Martin</td>
<td>Ballarat</td>
<td>ALP</td>
</tr>
<tr>
<td>Brideson, Hon. Andrew Ronald</td>
<td>Waverley</td>
<td>LP</td>
<td>Madden, Hon. Justin Mark</td>
<td>Doutta Galla</td>
<td>ALP</td>
</tr>
<tr>
<td>Broad, Ms Candy Celeste</td>
<td>Melbourne North</td>
<td>ALP</td>
<td>Mikakos, Msenny</td>
<td>Jika Jika</td>
<td>ALP</td>
</tr>
<tr>
<td>Buckingharn, Hon. Helen Elizabeth</td>
<td>Koonung</td>
<td>ALP</td>
<td>Mitchell, Hon. Robert George</td>
<td>Central Highlands</td>
<td>ALP</td>
</tr>
<tr>
<td>Carbines, Ms Elaine Cafferty</td>
<td>Geelong</td>
<td>ALP</td>
<td>Nguyen, Hon. Sang Minh</td>
<td>Melbourne West</td>
<td>ALP</td>
</tr>
<tr>
<td>Coote, Hon. Andrea</td>
<td>Monash</td>
<td>LP</td>
<td>Olexander, Hon. Andrew Phillip</td>
<td>Silvan</td>
<td>LP</td>
</tr>
<tr>
<td>Dalla-Riva, Hon. Richard</td>
<td>East Yarra</td>
<td>LP</td>
<td>Pullen, Mr Noel Francis</td>
<td>Higinbotham</td>
<td>ALP</td>
</tr>
<tr>
<td>Davis, Hon. David McLean</td>
<td>East Yarra</td>
<td>LP</td>
<td>Romanes, Ms Glenayys Dorothy</td>
<td>Melbourne</td>
<td>ALP</td>
</tr>
<tr>
<td>Davis, Hon. Philip Rivers</td>
<td>Gippsland</td>
<td>LP</td>
<td>Scheffer, Mr Johan Emiel</td>
<td>Monash</td>
<td>ALP</td>
</tr>
<tr>
<td>Drum, Hon. Damian Kevin</td>
<td>North Western</td>
<td>Nats</td>
<td>Smith, Mr Robert Frederick</td>
<td>Chelsea</td>
<td>ALP</td>
</tr>
<tr>
<td>Eren, Hon. John Hamdi</td>
<td>Geelong</td>
<td>ALP</td>
<td>Somyurek, Mr Adem</td>
<td>Eumemmerring</td>
<td>ALP</td>
</tr>
<tr>
<td>Forwood, Hon. Bill</td>
<td>Templestowe</td>
<td>LP</td>
<td>Stoney, Hon. Eadley Graeme</td>
<td>Central Highlands</td>
<td>LP</td>
</tr>
<tr>
<td>Gould, Hon. Monica Mary</td>
<td>Doutta Galla</td>
<td>ALP</td>
<td>Strong, Hon. Christopher Arthur</td>
<td>Higinbotham</td>
<td>LP</td>
</tr>
<tr>
<td>Hadden, Ms Dianne Gladys</td>
<td>Ballarat</td>
<td>Ind</td>
<td>Theophanous, Hon. Theo Charles</td>
<td>Jika Jika</td>
<td>ALP</td>
</tr>
<tr>
<td>Hall, Hon. Peter Ronald</td>
<td>Gippsland</td>
<td>Nats</td>
<td>Thomson, Hon. Marsha Rose</td>
<td>Melbourne North</td>
<td>ALP</td>
</tr>
<tr>
<td>Hilton, Hon. John Geoffrey</td>
<td>Western Port</td>
<td>ALP</td>
<td>Viney, Mr Matthew Shaw</td>
<td>Chelsea</td>
<td>ALP</td>
</tr>
<tr>
<td>Hirsh, Hon. Carolyn Dorothy</td>
<td>Silvan</td>
<td>Ind</td>
<td>Vogels, Hon. John Adrian</td>
<td>Western</td>
<td>LP</td>
</tr>
</tbody>
</table>
WEDNESDAY, 15 JUNE 2005

PETITION
Planning: Kyneton Bowling Club............................. 1385

PAPERS............................................................................... 1385

MEMBERS STATEMENTS
Transport: north-east integrated study..................... 1385
Aboriginals: justice awards........................................ 1385
Dental services: waiting lists...................................... 1385
Vietnamese community: settlement anniversary.......... 1386
Minister for Sport and Recreation: comments............ 1386
Detention centres: federal policy............................... 1386
Melbourne University: vocational education and training agricultural programs ........... 1387
St Simons Community Football Club, Rowville: facilities grant ............................................. 1387
WorkCover: workplace safety..................................... 1387
Karrie Webb................................................................. 1388
Great Otway National Park: establishment................ 1388
Australian Red Cross: Creswick unit......................... 1388

COMMONWEALTH GAMES: FINANCIAL REPORTING..................................................................... 1388

QUESTIONS WITHOUT NOTICE
Commonwealth Games: financial reporting.............. 1417, 1418
1420, 1422
Commonwealth Games: community participation........ 1417
Gas: Gippsland Basin....................................................... 1419
Alpine National Park: media campaign...................... 1419
Consumer affairs: credit................................................. 1420
Housing: homelessness................................................. 1421
Wind farms: Waubra....................................................... 1423

Supplementary questions
Commonwealth Games: financial reporting.............. 1417, 1418
1421, 1423
Alpine National Park: media campaign...................... 1419

QUESTIONS ON NOTICE
Answers............................................................................. 1424

ACCIDENT COMPENSATION (AMENDMENT) BILL
Second reading.............................................................. 1424, 1452
Committee................................................................. 1461
Third reading............................................................... 1462
Remaining stages......................................................... 1462

APPROPRIATION (PARLIAMENT 2005/2006) BILL
Second reading.............................................................. 1426
Third reading............................................................... 1441
Remaining stages......................................................... 1441

APPROPRIATION (2005/2006) BILL and BUDGET PAPERS 2005–06
Second reading............................................................ 1441, 1463

NATIONAL PARKS (ALPINE NATIONAL PARK GRAZING) BILL
Introduction and first reading....................................... 1452

COURTS LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL
Introduction and first reading....................................... 1462

DANGEROUS GOODS AND EQUIPMENT (PUBLIC SAFETY) ACTS (AMENDMENT) BILL
Introduction and first reading....................................... 1462

ELECTORAL LEGISLATION (FURTHER AMENDMENT) BILL
Second reading............................................................. 1469

ADJOURNMENT
Westvale Community Centre: management.............. 1471
Rosebud Secondary College: performing arts centre................................................................. 1472
Monash Primary School: future................................... 1473
Geelong: world road cycling championships............... 1473
Water: diversion metering............................................. 1473
Police: western suburbs................................................. 1474
Local government: fire services levy......................... 1474
Responses........................................................................ 1475
Wednesday, 15 June 2005

The PRESIDENT (Hon. M. M. Gould) took the chair at 9.32 a.m. and read the prayer.

PETITION

Planning: Kyneton Bowling Club

Ms HADDEN (Ballarat) presented petition from certain citizens of Victoria requesting that the Minister for Planning act in accordance with law and return the land leased by the Kyneton Bowling Club Inc. to its reserved purpose and revoke the appointment of the Shire of Macedon Ranges as the committee of management of that land under the Crown Land (Reserves) Act 1978 (280 signatures).

Laid on table.

PAPERS

Laid on table by Clerk:

Auditor-General — Report on In good hands: Smart recruiting for a capable public sector, June 2005


MEMBERS STATEMENTS

Transport: north-east integrated study

Hon. A. P. OLEXANDER (Silvan) — It has now been announced that the north-east integrated transport study is to be released in April next year. That is about four years after the study was initially promised. It is already six months behind schedule and to wait four years for important analysis of and information on transport networks, roads, public transport and walking and cycling areas in the north-eastern suburbs is far too long. In 2002 people in Manningham, Banyule, Nillumbik and Whittlesea were promised that the Bracks government would make much-needed upgrades to all these services in the region. They will now have to wait for the report until almost four years after it was initially proposed. This is not good enough. Since that time the need for bus services, tram extensions and a whole range of safety upgrades to roads has been identified.

The Minister for Transport in the other place and his office have been making policy on the hop. They have been deciding to rule out or rule in various transport initiatives without the benefit of this report and without any public consultation or discussion whatsoever. I join the councils in the region in calling on the Minister for Transport to intervene, to release the report and to deliver to people in the region the much-needed public and other transport infrastructure that was promised.

Aboriginals: justice awards

Ms MIKAKOS (Jika Jika) — On Friday, 27 May, I had the privilege of participating in the fourth annual indigenous justice awards, together with the Attorney-General, the Minister for Police and Emergency Services and Minister for Corrections and the Minister for Community Services in another place and the Minister for Aboriginal Affairs. The awards are an initiative of the Aboriginal justice forum, which I have the great honour of chairing, and were presented in a ceremony at Federation Square as part of National Reconciliation Week.

The awards recognise and celebrate the achievements of the many individuals and groups working to improve justice outcomes for the Koori community, whether they be Koori or non-Koori. The 12 recipients of the regional Aboriginal justice advisory committee (RAJAC) awards were selected by each of the six RAJACs. Awards were presented to a Koori and non-Koori for each region. They were: Warmambool Koori court elders and Sergeant Phillip Maxsted; Madge Siely and Bob Stephenson; Larry Kanoa and Josephine Coad; Gary Watkins and Dallas Terlich; Lillian Petif and Chris Tsviglou; and Lyn Killeen and Rodney Monahan, who were joint winners, and Magistrate Anne Collins. The RAJAC chairpersons also recognised three individuals who have contributed to improved justice outcomes for Koori communities on a statewide basis. They were: Colin Walker, Alf Bamblett and Aaron Clarke. In addition we had a final category of outstanding service for a Koori and non-Koori public servant, and they were Andrew Jackomos and Sergeant Greg Chandler.

Congratulations to the recipients of these awards. I thank them for their tireless commitment to the Koori community and Aboriginal justice.

Dental services: waiting lists

Hon. D. McL. DAVIS (East Yarra) — My matter today concerns the dental waiting lists in Victoria. It
concerns the cruel inaction of the Bracks government and the cruel mismanagement that is leaving people waiting huge lengths of time on dental waiting lists. General dentistry waiting lists went up from 25.47 months in June 2003, when the government hid the figures from the Victorian community, to an average of 31 months in April 2005. For the fitting of dentures it went up from 28.47 months in June 2003 to an average of 34.59 months in April 2005.

Ms Hadden — Four years in Ballarat!

Hon. D. McL. DAVIS — Four years for Mr Hurkens who, according to the story the Age carries today, has been told he will not be treated until next year, when he will have been waiting five years in pain and discomfort with ill-fitting dentures. It is no wonder older people and those in need of dentures get sick when the Bracks government makes them wait four, five and six years in some parts of country Victoria. At the Knox Community Health Service the expected wait of 34 months for dentures in June 2003 is now up to 50 months on the April 2005 figures. Steve Bracks promised to fix problems with the waiting lists in dentistry. He promised to stop the problems for Victorians needing dentistry care and dentures, yet in fact the lists have got worse. The government has spent more, and any extra money it has put in has come from a slug on motor registration for pensioners. It is a disgrace!

Vietnamese community: settlement anniversary

Hon. S. M. NGUYEN (Melbourne West) — I was delighted to attend a function at the Immigration Museum to mark the 30-year anniversary of the Vietnamese community’s settlement in Australia. The Honourable Malcolm Fraser, a former Prime Minister of Australia, was the special guest of the day. The community wanted to pay respect to Mr Fraser who, when he was Prime Minister, accepted refugees from Vietnam. The community was grateful for his contribution, and there were many speeches of thanks to him for his work in helping Vietnamese refugees and with the many programs to help settle Vietnamese people in Australia. The community also thanked former Labor Prime Ministers Mr Hawke and Mr Keating for continuing to accept more refugees to Australia from Vietnam. On the day people also indicated that they wanted the Howard government to open up the refugee program to accept more refugees from other parts of the world.

Minister for Sport and Recreation: comments

Hon. W. A. LOVELL (North Eastern) — I rise to make a comment about the completely inappropriate statement made by the Minister for Sport and Recreation during yesterday’s question time, when he said:

… you might suspect that a few opposition members have had a few head injuries from football over the years …

I put it to you, President, that given the very serious nature of head injuries that occur in areas that come under his sport portfolio, this was a most inappropriate statement for the minister to make. In fact, in respect of the minister’s own sport of Australian Rules football, an article in the Medical Journal of Australia identifies that of the 25 deaths associated with Australian Rules between 1968 to 1999, 9 were due to brain injury.

Approximately 73 000 people in this state suffer from acquired brain injury. These people and their families have suffered significant trauma in their lives due to the accidents that caused their injuries, and they continue to face enormous challenges on a day-to-day basis. I was offended that a minister of the Crown would make jokes at the expense of those Victorians who have had the misfortune of suffering an acquired brain injury. This statement by the minister was completely inappropriate and was a direct insult to the 73 000 Victorians who suffer from acquired brain injury.

Detention centres: federal policy

Hon. J. G. HILTON (Western Port) — I commend Petro Georgiou, Judi Moylan, Russell Broadbent and Bruce Baird for having the guts to stand up to the Prime Minister and demand changes to the federal government’s disgraceful refugee detention policy. Can anyone believe it is right for a man, Peter Qasim, to be in detention for seven years? Can anyone believe it is appropriate for children to be born in captivity and then be kept in captivity with their mothers? The psychological damage to such children can only be imagined.

It would appear that the only person who thinks these policies are appropriate is a Prime Minister whose lack of decency is only matched by his lack of compassion. We claim to be a decent society; the Prime Minister’s actions on these issues give a lie to that. In closing I quote from Michelle Grattan in today’s Age:

At times I’ve thought that Howard really wanted to get some decent settlement to the detention issue. Then I heard him in question time yesterday, trying to paint Kim Beazley as weak on detention and border protection. He was refighting the
2001 election, with his ammunition the poor devils who have mostly been incarcerated since then.

So to the four Liberal rebels: all power to your elbow. You have the unqualified support of the vast majority of decent Australians.

**Melbourne University: vocational education and training agricultural programs**

**Hon. P. R. HALL (Gippsland)** — Today I want to express my extreme disappointment and concern at the recent decision taken by Melbourne University to abandon the delivery of TAFE-level agricultural courses. This will have a particularly harsh impact on those communities served by places like the McMillan campus in Warragul and the Longerenong, Glenormiston and Dookie campuses. I am aware that Melbourne University has said that it will liaise with and seek to have other providers deliver those TAFE-level courses, but that is a second-best option. I do not believe it is in the best interests of agricultural education to have a fragmented system where we have different TAFE-level courses being delivered by a range of different organisations around the state of Victoria. There is extreme danger that there will not be any coordination or cooperation between those different providers and that that will not lead to a strengthened agricultural education course at a TAFE level.

I am also extremely disappointed in the Labor government because it has sat on its hands and allowed this to happen and has taken no action until this point in time. I note that in only recent days the minister has established a task force to try to ensure that these courses are being offered by other providers. I urge that task force see if it cannot at least ensure there is some cooperation and coordination between those alternative providers that I believe will ultimately take over the delivery of those TAFE courses.

**St Simons Community Football Club, Rowville: facilities grant**

**Hon. H. E. BUCKINGHAM (Koonung)** — On Wednesday, 8 June, I visited the St Simons Community Football Club in Rowville with the member for Ferntree Gully in the other place, Anne Eckstein, to present St Simons football club with a minor facilities grant of $22,919 from the Community Facilities Fund. This grant will go towards lighting at Liberty Reserve, Rowville. The grant will provide for two light towers for oval floodlighting at Liberty Reserve to assist with night training for both football and cricket. The lighting will also make the car park more safe and secure. Developing and improving local facilities is vital to bringing communities together and encouraging all Victorians to get involved in sport and recreation at a grassroots level.

I commend the government for its aim to get people off the couch and actively involved in their local communities through the Go for Your Life program. Upgrading the lighting at Liberty Reserve oval will improve safety for the young people taking part in sports training and ensure maximum use of the oval. It was great to meet young people from the St Simons football club and their president and secretary, Martin Byrne and Geoff Izon. The club is enthusiastic about plans to make effective use of the new lighting. I wish them well in the current football season.

**WorkCover: workplace safety**

**Hon. BILL FORWOOD (Templestowe)** — I would like to return to the issue of the Krupjak family in Gippsland, which was raised by me in Public Accounts and Estimates Committee hearings on three occasions with Ministers Lenders and Jennings and Ms Garbutt, the Minister for Community Services in the other place, by Mr Hall yesterday in question time and by other people as well. Let me start by saying that I received this morning an email from Jean Tops from the Gippsland Carers Association, which says:

> The lack of action by the government to stop the persecution of the Krupjak family and the mass panic that will overtake all people with disabilities and the families who care for them is an outrage.

I am sure people will agree with that. In her email to me this morning Jean Tops says that the family has still to receive anything in writing from WorkCover or anyone else to say the action against them has been withdrawn. She says:

> The family are terrified that given the high support needs of their children they may be sued again next week by another worker who may sustain an injury at their home.

The email goes on to say:

> … The Krupjak family yesterday received a letter from solicitors for the worker indicating a possible lawsuit by the worker to the Krupjaks’ liability insurance company.

> … Mr Lenders is so insensitive to the enormous precedent that has been set, we have no choice but to warn all families receiving in-home help that their home is no longer their home … it is a workplace for paid workers, and they risk being sued every time a paid worker steps over the threshold of their property to assist them — —

**The PRESIDENT** — Order! The member’s time has expired.
Mr SMITH (Chelsea) — I rise to congratulate Karrie Webb on her induction into the Ladies Professional Golf Association Hall of Fame. Karrie Webb is without peer when it comes to Australian women golfers. Since 1990 she has performed at a level of competence that could only be described as stellar. In my opinion she has done as much not only for women’s golf but also for Australian golf as the great Peter Thomson or Greg Norman have. Karrie Webb is a credit to Queensland, to Australia and to herself. I congratulate her on her elevation to the Ladies Professional Golf Association Hall of Fame.

Great Otway National Park: establishment

Hon. J. H. EREN (Geelong) — I, along with my colleagues Ms Caribines and the member for South Barwon in the other place, Mr Michael Crutchfield, and the Minister for Environment in the other place, Mr John Thwaites, last Friday for the announcement that the state government would legislate to create a new 100 000-hectare national park for the Otways stretching from Anglesea to Cape Otway. It is hoped everybody in this place will support the National Parks (Otways and Other Amendments) Bill, to be introduced into Parliament next sitting week, which will establish the new Great Otway National Park and phase out logging by 2008.

The new national park will become the largest on Victoria’s coast, linking the existing Otway National Park and the Angahook-Lorne, Carlisle and Melba Gully state parks with tracts of former state forest. This will mean that the Great Otway National Park will be nine times the size of the existing national park. Around 40 000 hectares of public land in the Otways will also be set aside as forest park — a new category of public land. The Otway forest park will allow for a wide range of recreational activities and will have a strong emphasis on community access.

The $13 million allocated by the Bracks Labor government will be spent over the next four years on the park’s establishment, including employing 17 people to manage the park. This announcement is yet another initiative that fulfills a key election commitment from the government to protect old-growth forests and threatened flora and fauna, and it creates one of the world’s greatest national parks along the Great Ocean Road.

Honourable members interjecting.

The PRESIDENT — Order! I advise Ms Hadden that I am in the Chair, not her.

Australian Red Cross: Creswick unit

Ms HADDEN (Ballarat) — I was waiting for the call. The Creswick unit of the Australian Red Cross celebrated 90 years of service on 31 May at a celebratory afternoon tea held at St Andrew’s Uniting Church hall at Creswick. I congratulate those unit members who were awarded distinguished service medals, the unit members who paraded the old uniforms and the members of the Creswick Blue Light/RLS Light Horse Troop who assisted on the day.

In the current world situation, with its turmoil and suffering, it is very necessary to be prepared, and the Red Cross is always prepared to give a helping hand at a moment’s notice. Over the years, whether in peace or war, the whole district has always shown great interest in the Red Cross and the desire to help others has never wavered.

I was greatly honoured to be the guest speaker on the history of the Creswick unit and on Lady Millie Peacock, who was the unit’s inaugural president, having been elected on 31 May 1915 and remaining president until shortly before her death in February 1948. She was one of the original committee members, along with Mrs Gurr and Mrs Clarkson, remaining in office for over 30 years and being actively engaged in serving the community to improve the lives of others and promote humanitarian laws and values.

I congratulate unit secretary Norah Stubbs, long-serving president Betty McNicol, treasurer Margaret Orr, and newly elected president Norma Clifton, and I thank Jean McKay and Val Lawrence for making and decorating the birthday cake. All the unit’s members and their guest, Mr Richard Stone, the Australian Red Cross Victorian chairman, helped to make the Creswick unit’s 90th birthday celebrations a fantastic success.

COMMONWEALTH GAMES: FINANCIAL REPORTING

Hon. G. K. Rich-Phillips — I wish to advise the house that the Liberal Party will provide 10 minutes of its time allocation to Ms Hadden to participate in the debate on the general business motion.

Hon. W. R. Baxter — I wish to advise the house that The Nationals are pleased to provide 5 minutes of their allocated time to Ms Hadden.
Hon. G. K. RICH-PHILLIPS (Eumemmerring) —

I move:

That this house affirms its support for the Commonwealth Games and calls on the Minister for Commonwealth Games to explain his misleading statements in relation to:

(1) the role of the Auditor-General and the Minister for Finance in delaying the Commonwealth Games financial statements until after the 2006 state election; and

(2) the Commonwealth Games global budget.

This government likes to hold itself out to be open and accountable. Over the last six years members of this chamber have heard that mantra from this government. Every minister over that period has come into this chamber and said that this is an open and accountable government. The Premier is on record saying numerous times over the last six years that the government is open and accountable. Indeed, the Minister for Commonwealth Games, to whom the motion refers — I note that the minister is absent from the chamber this morning — is on the record saying that the government should be open and accountable.

On 26 November 2003, in response to a question from the Honourable Andrew Brideson, the minister concluded his answer by saying:

I again reinforce that in relation to all matters financial concerning the Commonwealth Games and in relation to all matters we are an open, accountable and transparent government.

The minister is clearly on the record saying that both he and the government will be open, accountable and transparent in relation to the Commonwealth Games. Unfortunately it is the wont of this government to spend a lot of time and effort on the spin of being open and accountable and very little on the practice of being open and accountable. It seems to me we are increasingly seeing this practice of spin come from the public domain into this house. It is the opposition’s concern at comments by the Minister for Commonwealth Games that give rise to this motion before the house today.

I point out that the wording of the motion is very specific. The motion is written in such a way that it gives the Minister for Commonwealth Games, who I note is absent from the chamber, an opportunity to explain his statements and his comments on the record of this house. There is clear evidence from the minister’s statements at the estimates committee last week, in the newspapers last week and in the house yesterday that there is a great deal of confusion surrounding the comments of the minister. The minister has contradicted himself several times throughout the process. The motion today gives the minister the opportunity to clarify the record as he sees fit. It is the intention of the Liberal Party in moving the motion that the minister should come before the house and explain his statements regarding the Auditor-General, regarding the Minister for Finance and with regard to the Commonwealth Games budget generally.

Why is this important? This is important because the Commonwealth Games will be in all probability the single largest project the government delivers, giving that most of its other projects do not show any sign of being delivered. The state has committed to spending $697 million of taxpayers money in a budget of $1.1 billion to deliver the Commonwealth Games. It is a very large project for Victoria, a very large commitment of taxpayers money, and it is appropriate that it be scrutinised, because accountability is extremely important.

The management of the Commonwealth Games is quite complex. There is the organising committee, known as Melbourne 2006 Commonwealth Games Corporation, the Department for Victorian Communities and the department’s subagency, the Office of Commonwealth Games Coordination, which is effectively the government end of the operation. There are various other aspects of government responsibility for the Commonwealth Games in other departments, such as Major Projects Victoria, which is responsible as the agency for delivering the Melbourne Cricket Ground redevelopment, the games village and so on. There is a fairly complex arrangement within government surrounding the Commonwealth Games, and each of these agencies has various reporting responsibilities.

The government has in previous years produced an annual report for the organising committee — Melbourne 2006, originally a company under the Corporations Law and now a statutory authority set up by this Parliament — for the end of the financial year, 30 June. The Office of Commonwealth Games Coordination, as part of the Department for Victorian Communities, produces an annual report to 30 June each year, and the government has brought in the practice of producing a special purpose report which is supposed to collect all Commonwealth Games expenditure and report it in an appendix to the Department for Victorian Communities annual report.

I put on record at this time that that special report in the appendix to the DVC annual report is not a formal report, it is not audited by the Auditor-General and it does not have any official status under the Financial Management Act 1994. The only two official reporting mechanisms for the Commonwealth Games are the
annual report for Melbourne 2006 and the annual report for the Department for Victorian Communities, both of which report to 30 June each year, being the conventional end of the financial year.

Under state legislation those reporting entities are required to give reports in accordance with the Financial Management Act and the Audit Act 1994. Section 45 of the Financial Management Act requires that as soon as practicable after the end of each financial year the accountable officer for the department and public body must submit the financial statements of the department to the Auditor-General within eight weeks of the completion of the financial year, which means that if you have a balance date of 30 June you have all of July and August to prepare the financial statements and at the beginning of September they need to be provided to the Auditor-General for the financial audit.

Section 9 of the Audit Act requires that the Auditor-General, having received a financial statement from a department, has four weeks in which to prepare an audit opinion. Again, in the case of a June balance date if the department has taken its full two months to get a report to the Auditor-General he then has the month of September to produce his audit opinion and then the annual report and the audit statement are transmitted to the minister for presentation to Parliament.

The effect of this is that annual reports are presented to Parliament with an audit statement late in the calendar year, certainly before the house rises. As members know, in September and October we have a large number of annual reports for government departments and other government agencies presented by the respective ministers to this Parliament. It is an appropriate reporting mechanism for the operation of government.

It is therefore with great concern that I listened to the Minister for Commonwealth Games at the Public Accounts and Estimates Committee hearing last Wednesday announce that for 2006, the year of the Commonwealth Games, the government will report the Commonwealth Games financial outcomes on a financial year ending 30 September 2006 — that is, the financial year was being expanded by three months.

Going back to the requirements of the Financial Management Act, if the department’s report is at 30 September 2006, it then has all of October and November in which to prepare the reports, the Auditor-General has all of December in which to prepare his audit statement and the practical effect is that the reports may not be ready for presentation to Parliament until the end of December. This is, of course, well after the next state election. The practical effect of delaying the balance date for the Commonwealth Games to September 2006 is that there will not be a financial report on the outcome of the games to this Parliament and to the people of Victoria before the next state election. This is a position that the opposition vehemently opposes.

Hon. B. N. Atkinson — They are doing the same with hospitals.

Hon. G. K. RICH-PHILLIPS — We believe the Commonwealth Games should report on its current financial year ending 30 June so that those financial reports can make it into Parliament before the next state election.

I will take up Mr Atkinson’s interjection. That is true, the government is doing the same with hospitals. This week it has been revealed that the government is also delaying the reporting dates for hospitals. The practical effect of that will be that the financial statements of hospitals will not reach this Parliament until after the next state election. It is clear the government has form on this issue.

The minister raised this issue in his statement to the Public Accounts and Estimates Committee last Wednesday. When questions were taken at that hearing I immediately asked the minister about the background to this decision because, as I said, the opposition vehemently opposes this proposal to delay the balance date on the Commonwealth Games for three months. In responding to my question about this the minister was quite indignant. He said, ‘This was not our idea. This was at the request of the Auditor-General’. He also said in his earlier comments that this decision had been made with the permission of the Minister for Finance. Minister Madden was very upset that I had asked him this question. He was at pains to emphasise that this decision had been made at the request of the Auditor-General. He said no less than three times in this hearing that this was at the request of the Auditor-General. It was not an inadvertent slip of the tongue. It was a deliberate statement by the minister, made three times in the course of that hearing, that the change to the Commonwealth Games balance date was at the request of the Auditor-General. As I said, he also said on possibly two occasions that the decision had been made with the permission of the Minister for Finance, meaning that the decision had been taken and that course of action was in place.
I was very surprised to hear that the Auditor-General had requested this course of action. During the break in the hearing I went back to my office and I telephoned the Auditor-General. The Auditor-General was not in his office at that time, but I spoke to Russell Walker, the Assistant Auditor-General, who has, as I understand it, responsibility for the Commonwealth Games. I told Mr Walker that Minister Madden had said that the Auditor-General or his office had requested this change. Mr Walker had no idea what I was talking about. Mr Walker said he had no knowledge at all of this matter. He said he would have to speak to Wayne Cameron, the Auditor-General, and that perhaps the Auditor-General knew something about it. I thought this was very interesting.

The next morning, which was last Thursday morning, I telephoned the Auditor-General. I spoke to Wayne Cameron and I repeated the minister’s statement that the Auditor-General had requested this change to the balance date. The Auditor-General was very clear indeed in his response to that. Given the importance of that conversation with the Auditor-General I made a file note. I am happy to quote the Auditor-General. When I spoke to the Auditor-General I asked him if he was happy for me to publicly quote that conversation. He said he was. The Auditor-General said to me in response to the minister’s comment that he or his office would not have requested such a change. He indicated that there had been some discussions at officer level about the reporting regime for the Commonwealth Games and the desirability of a consolidated report, but he was quite adamant that he definitely did not request a change to the balance date for the Commonwealth Games. That is in complete contradiction to what the minister had claimed at the hearing.

The Auditor-General went on to say that the Victorian Auditor-General’s Office did not even have the power to make such a decision in any case. Not only did he not request it, he was quite clear that he did not have the power to do it. Those comments that were made to me were also repeated by the Auditor-General in the media.

In an article published in the Age on Friday, 10 June, the Auditor-General is quoted as saying:

We have not formally requested an extension of the reported dates … They do not get approval for something like that from us.

The Auditor-General has quite clearly repudiated the claims of the Minister for Commonwealth Games as to how this change in balance date came about. It is interesting to note that in responding to the Auditor-General’s comments the minister is quoted as saying that the request was verbal — a verbal request had come from the Auditor-General’s office. The minister subsequently said that this was in 2003.

In the six years I have been on the Public Accounts and Estimates Committee (PAEC) — and this is a committee that has a very close relationship with the Auditor-General — I cannot recall the Auditor-General giving informal, verbal advice. The committee is frequently in receipt of written advice from the Auditor-General, but I cannot recall it ever being the practice of the Auditor-General to give verbal advice, particularly on such a significant issue. Yet if we are to believe the Minister for Commonwealth Games, some time in 2003 someone from the Auditor-General’s office rang someone in the department and requested a change to the Commonwealth Games balance date. That is hardly a credible claim, yet the minister would have this Parliament and the people of Victoria believe the Auditor-General’s office verbally advised someone in the department some time in 2003 that the balance date should be changed. It simply is not a credible claim.

Yesterday the Minister for Commonwealth Games was asked questions in Parliament about his claim that the Auditor-General had requested this change in balance date. In response to those questions the minister read a statement which he claimed had been prepared by the Auditor-General, Mr Wayne Cameron, and by the Secretary of the Department for Victorian Communities, Mr Yehudi Blacher.

**Hon. B. N. Atkinson** — A public statement?

**Hon. G. K. RICH-PHILLIPS** — The statement is dated 10 June 2005. Mr Atkinson asked if it is a public statement, and I have to say that the basis of this statement is very unclear. As I said earlier, in the six-year relationship I have had with the Auditor-General through the Public Accounts and Estimates Committee, I cannot recall the Auditor-General issuing joint statements with department heads on matters of audit policy.

**Hon. B. N. Atkinson** — I cannot recall it in 13 years.

**Hon. G. K. RICH-PHILLIPS** — It is an extraordinary statement that says:

There have been ongoing discussions between staff of the Auditor-General’s office and the Department for Victorian Communities about the preparation of a special purpose report on the Melbourne 2006 Commonwealth Games following the completion of the games.
But that does not respond to the issue of the minister claiming the Auditor-General requested a change to the balance date. The statement goes on:

These discussions focused on how best to present a full account of the games from a statewide perspective to enhance public accountability. While transactions associated with the games will be accounted for by the respective agencies in their 2005–06 financial statements, which are subject to audit by the Auditor-General’s office, we are aware that all games-related transactions may not be finalised prior to 30 June 2006.

Again that does not say that the Auditor-General requested a change to the balance date, as the minister claimed. The statement continues:

For the final special purpose report to be comprehensive, it will need to include all significant transactions relating to the wrap-up of the games, some of which may be after year end. Should there be significant transactions after 30 June 2006, audit suggested extending the reporting date of the special purpose report so as to achieve that goal.

This proposal is mutually supported and should not compromise timely reporting to Parliament of this significant state event.

The wording of this statement is very important, because it refers to the special purpose report. As I said earlier, the special purpose report has no official status. It is not required under the Financial Management Act, not is it subject to audit by the Auditor-General’s office and it has no formal status, and therefore the Minister for Commonwealth Games does not need permission from the Minister for Finance to amend the balance date. This special purpose report, which is the appendix in the departmental annual report, is clearly not the reporting mechanism the minister was talking about last week at the estimates hearing, because he simply would not have referred to needing the approval of the Minister for Finance.

So this statement is completely unrelated to the matters the Minister for Commonwealth Games was referring to last week. I also pick up the second sentence in that paragraph, which states:

Should there be significant transactions after 30 June 2006 — et cetera. Last week the minister presented the change of balance date to 30 September as a fait accompli. There was no mention of, ‘If there are significant transactions after 30 June,’ it was quite clearly a statement that, ‘We are going to do this with a balance date of 30 September’. There was no mention of it being conditional on there being future transactions —

Hon. Bill Forwood — He already had permission!

Hon. G. K. RICH-PHILLIPS — He already had permission, Mr Forwood. He had already been to the Minister for Finance and sought, and apparently gained, permission. So again this statement purportedly by the Auditor-General and the department head is completely at odds with the minister’s statement last week.

I then have to raise the circumstances of this statement. The minister came in here yesterday and read out this statement, but it is worth recording that the statement is not on any letterhead. It is not on the letterhead of the office of the Secretary of the Department for Victorian Communities; it is not on the letterhead of the audit office; it is dated 10 June, which was last Friday, but it does not bear any signature. It is not signed by the Auditor-General; it is not signed by Yehudi Blacher, the secretary of the department. It is simply a piece of paper the minister brought in here and gave to the Parliament which he claims is a statement by the Auditor-General and the departmental secretary. We do not know where the statement originated. Was it drafted down at the audit office? Was it drafted in the department, or was it drafted in the minister’s office to help him get through question time yesterday? If this statement was indeed written on Friday, five days before the minister presented it to the house, why was it not signed?

Hon. Bill Forwood — Why wasn’t it made public?

Hon. G. K. RICH-PHILLIPS — And why was it not made public? This statement smacks of something written in the minister’s office before question time, and maybe faxed to the Auditor-General some time yesterday. The basis of the statement is very unclear, as indeed is the communication that has taken place between the minister’s office and the audit office that led to this statement. If the minister appears in the house today — if he can be bothered to come in here and put on the public record what he is doing about this — perhaps he will address the issue of where this statement came from and how it ended up in the house under the circumstances he raised yesterday.

I note that according to the reporting of this issue in the Age today the minister has taken a different tack. Today the minister is effectively saying that this is semantics, it is about language, it is just an issue over words. If this is an issue over words, why did the minister not correct the record last Friday when this became a public issue? Why did he not correct the record yesterday in question time? Why did he come in here with this charade of a statement and get up and say that this was something that had been discussed with the Auditor-General? If he really believes this is about words and semantics and his being misquoted, why did he not say that five days
ago? Why did it take until this morning in the Age for him to mention that this is about language? I think he was quoted as saying it was ‘about a comma’. If he truly believed this was about language and about his being misquoted or misinterpreted, why did he not say that five days ago? Why did he come in here with this statement about the Auditor-General? Why did his office claim that there had been verbal advice from the Auditor-General in 2003? For the minister to now claim that this is merely his being misinterpreted has absolutely no credibility in light of his actions and response to this issue over the last five days.

The second issue I would like to canvass is the role of the Minister for Finance. Yesterday the Minister for Finance — —

Honourable members interjecting.

Hon. G. K. RICH-PHILLIPS — Last Wednesday during the hearing the Minister for Commonwealth Games indicated that at the suggestion or request — whatever term the minister likes — of the Auditor-General and with the permission of the Minister for Finance the balance date for the Commonwealth Games had been shifted to 30 September 2006. It was clear from the minister’s statement, indeed contradicting the statement he read yesterday purporting to be from the Auditor-General and the departmental secretary, that the government had taken this decision and had put the mechanism in place.

Yesterday the Leader of the Opposition asked the Minister for Finance a question: had he received a request to vary the Commonwealth Games reporting date under the Financial Management Act. It is clear that the Minister for Finance has the authority to do that. Section 47 of the Financial Management Act gives the Minister for Finance the power to vary the reporting date for entities, including the Commonwealth Games. The minister was asked had he received such an application for consideration, and the minister gave a one-word answer, ‘No’, he had not received an application. Yet last Wednesday the Minister for Commonwealth Games was saying he had taken this action with the permission of the Minister for Finance. Yesterday the Minister for Finance was saying no, that was not the case because he had never received such an application. When the Minister for Commonwealth Games was asked to account for the discrepancy between what he said at the estimates hearing last Wednesday and what the Minister for Finance answered in question time yesterday, the only response of the Minister for Commonwealth Games was to reread the statement he purports to be from the Auditor-General, which had absolutely nothing to do with the issue of his claim to have received permission from the Minister for Finance.

So yet again we have an issue on the table of a statement last week by the Minister for Commonwealth Games, and a completely contradictory statement from his colleague the Minister for Finance, and absolutely no reconciliation of those two different issues by the Minister for Commonwealth Games. I say to the house that this motion this morning calls on the Minister for Commonwealth Games to use this opportunity to set the record straight about the Auditor-General, whose statement he now claims to have been misinterpreted, about the Minister for Finance and the other issues relating to the Commonwealth Games budget. I would expect that the Minister for Commonwealth Games, if he is open, accountable and transparent as he claimed to the Parliament in November 2003, would come into the Parliament this morning and do that.

Hon. R. G. Mitchell interjected.

The PRESIDENT — Order! Mr Mitchell is out of his place and his interjections are unparliamentary and totally unacceptable.

Hon. G. K. RICH-PHILLIPS — The fact that the minister is not even in the house this morning to listen to this debate does not give the opposition any hope at all that he will respond appropriately to these issues which have arisen from his own statements.

I now turn to the second element of this motion, and that relates generally to the Commonwealth Games budget. On 27 September 2001 the minister introduced the Commonwealth Games Arrangements Act and as part of the minister’s second-reading speech for that act he said:

Acceptance of the likely financial impacts of the games was inherent in the decision to bid for the games. The previous government is to be acknowledged for its role in the successful bid. The budget, which accompanied the games bid, while currently under review, will provide the basis for the state’s financial commitment.

In September 2001 the Minister for Commonwealth Games made it clear that the eventual budget for the Commonwealth Games would be based on the bid budget. So we were then rather surprised when the games budget was announced to discover that the budget was dramatically different. By way of a press release on 12 March 2003, the Premier and the Minister for Commonwealth Games announced that the budget for the games would be $1.1 billion, with a contribution from the Victorian government — the Victorian taxpayer — of $697 million, $223 million of that being for capital works and the balance of $474 million for
Mr Bracks said the increase in operating costs from the original bid reflected CPI increases, a changed security environment and licence fees that were not included in the original bid.

"In a move away from the practice of the previous government, we have now also fully costed the requirement for services such as police and public transport …"

It is interesting to compare the bid budget, which broke down line by line what the previous government estimated would be the expenditure on the Commonwealth Games, with the one and only press release that has been issued by this government about the Commonwealth Games budget. The only figures we have been given by this government are the headline $1.1 billion, the state contribution of $697 million and the breakdown between capital and operational expenditure.

However, it is possible to reconcile what the Premier has said with the bid budget. While the published bid budget indicated that $306 million would go to operational expenditure, the bid budget that was not published but was available to the government went into some detail about the licence fees. It indicated that an allowance of $65 million had been made for the licence fees and a further $124 million had been allocated for additional expenditure by the state on the provision of state services related to the Commonwealth Games.

If you take the published bid document and the budget documents held by the government — prepared by the previous government and available to the current government — you find there was in fact that detail the Premier claimed had been left out. If you reconcile the expenditure on the same basis as this government claims to have done, you see that the cost of the bid budget was $306 million for operational expenditure, $65 million for licence fees to the Commonwealth Games Federation and the Australian Commonwealth Games Association and $124 million for state services — a total of $495 million. That compares with the operational budget announced under this government of $877 million — a more than $370 million difference. The people of Victoria are supposed to believe this almost doubling is accounted for by consumer price index changes and security requirements.

That brings me to the second issue, and that is security. We were told when this budget was announced in March 2003 that it was a whole-of-government games budget and everything would be included in it. We were told the reason it had doubled from the figure the Kennett government had published was security. We are now being told that security is outside the budget and that the $697 million of taxpayers money does not include the security expenses. Furthermore, we are not able to tell the people of Victoria how much these games are going to cost, because the government will not reveal the figure for security. Despite the commitment made by the Premier at the Public Accounts and Estimates Committee to provide that answer in writing, at a hearing last week the Minister for Commonwealth Games said that that response would not be provided until after the games. The minister went on to say that this was at the suggestion, or perhaps the request, of Victoria Police. I cannot help but wonder what the response would be if we were to ask the office of the Chief Commissioner of Police whether it suggested or requested that those figures not be made public.

The suggestion by the minister and the government that we cannot reveal the expenditure on security for security reasons does not carry any weight. The commonwealth has announced its commitment to Commonwealth Games security. I understand it has committed in the order of $85 million, with $28.3 million of that to go directly to the Australian Security Intelligence Organisation, to the Department of Defence and to the Australian Federal Police. If the commonwealth government can say it is committing $85 million to the Commonwealth Games security requirements, why can the Victorian government not make a similar statement as to its commitment?

I also have great difficulty in believing the government when it says it cannot reveal the cost of security for the Commonwealth Games for security reasons because of its past form. On 26 February 2003 the Premier announced that the government would introduce new anti-terrorism legislation. He issued a press release about the bill that came into the Parliament on that day. At the end of that press release the Premier went into some detail about the anti-terrorism measures the government was introducing. The Premier was happy to detail that the government would commit $1.2 million for protection equipment for emergency services; $3.8 million for new surveillance and communications equipment to increase police intelligence and risk analysis capacity; $6 million for a new secure state crisis centre equipped with encrypted communication networks linking key federal and emergency service agencies; $6.4 million to ensure Victoria Police operations cannot be interrupted through a targeted terrorist attack; and $2 million for a new high-level security policy unit in the Department
of Premier and Cabinet to closely liaise with other state and commonwealth bodies.

In February 2003 the Premier was willing to put on the public record in some detail the measures the government was taking in respect to terrorism. The government went into great detail on how much it was spending on each element and what each element was. Now we are being told the public cannot even have a global figure for expenditure on Commonwealth Games security. We are being told that this is for security reasons. It is absolutely farcical that two years ago — when it suited him and the government — the Premier could detail in great depth this government’s expenditure on terrorism initiatives, yet now, when the figure can quite conveniently be used to prop up a budget that is continually blowing out, the government refuses to detail exactly or even give an indication of how much is being spent.

It seems that the Commonwealth Games organisers have an open, secret blank cheque to cover budget blow-outs without the people of Victoria having any idea how much is involved until after the games reporting, and because of what the Minister for Commonwealth Games announced last week that reporting will not occur until after the next state election. This government has form on trying to conceal information from the people of Victoria. This example with the Commonwealth Games is just the latest instance of that.

The motion before the house deliberately affirms the support of the house for the Commonwealth Games. There is no doubt that the Liberal Party is a strong supporter of the Melbourne 2006 Commonwealth Games. They will bring 4500 athletes and 1500 officials representing 71 countries to Melbourne for an 11-day extravaganza next March. There can be no doubt of our support for this event. If it were not for the previous coalition government, Victoria would not be hosting the Commonwealth Games.

Hon. J. M. McQuilten — Rubbish! We would have got them if we had been in government.

Hon. G. K. RICH-PHILLIPS — Mr McQuilten says, ‘We would have got them if we were in government’ — you would still be deciding whether to have a bid. It is farcical to think that this government could have secured the Commonwealth Games. The fact is that these games have the strong support of the Liberal Party. However, that does not mean the government has a blank cheque when it comes to spending taxpayers money on the Commonwealth Games. This government needs to be accountable for how it spends money on the Commonwealth Games. It cannot simply hide behind, ‘The games are bipartisan, therefore we do not have to tell the people anything’. That is not acceptable to the Liberal Party.

Hon. P. R. R Hall — What we ask for is honesty.

Hon. G. K. RICH-PHILLIPS — As Mr Hall said, what we ask for is honesty. What we have had from the Minister for Commonwealth Games is confusion and attempts to conceal, mislead and hide the true situation. This motion today provides the minister with an opportunity to come into this Parliament and clarify his statements to the Public Accounts and Estimates Committee last week, his statements to the media last week and this week and his statements in question time yesterday. The motion provides that opportunity for clarity, and I call on members of the house to support the motion.

Mr VINEY (Chelsea) — I would have to say to the member that that was pretty ordinary. In fact not even his own side actually gives him any credit. Mr Atkinson was running around the place last night claiming that this was all stuff he had uncovered. Yesterday in question time the member had to have the Leader of the Opposition ask a couple of questions because Mr Rich-Phillips could not even prosecute the case on his own. The member’s contribution here actually got to nothing and gave us no substance. He has put forward a serious motion alleging that a minister made misleading statements. The member knows that is an extremely grave allegation which he has put before this house, and he has presented no evidence whatsoever to support his claim, other than his deliberate misinterpretation of the words of the Minister for Commonwealth Games at the Public Accounts and Estimates Committee hearing.

At no point in the minister’s statements to the PAEC did he once say that the Minister for Finance had already given such permission — at no point did he say that. It is the member’s interpretation of those words. The Minister for Commonwealth Games was quite clearly expressing the point that of course at the request of the Auditor-General there had been some discussions about extending the reporting date and that that would be needed, with the permission of the Minister for Finance. That is the intention of the words of the Minister for Commonwealth Games, and it is the member’s deliberate misrepresentation — —

Honourable members interjecting.

The PRESIDENT — Order! Mr Rich-Phillips had an opportunity to make his contribution to the debate
without interruption, and I ask honourable members to allow Mr Viney to put on the record his comments about the motion before the house without interruption from the chamber.

**Hon. Bill Forwood** — On a point of order, President, during the fracas that just took place Mr Viney said that the Honourable Gordon Rich-Phillips had deliberately misrepresented words. I put it to you that he has no right to make that comment, and I am sure that if Mr Rich-Phillips had heard him say it, he would have demanded that Mr Viney withdraw it. He cannot say — —

**Mr Gavin Jennings** — Because he was deaf!

**Hon. Bill Forwood** — Well, there was a row going on. The Minister for Aged Care was probably part of it.

**The President** — Order! I ask Mr Forwood to raise his point of order without debating it and not to respond to interjections during the course of raising it.

**Hon. Bill Forwood** — I was being harassed.

**The President** — Order! Mr Forwood was not.

**Hon. Bill Forwood** — The member has been in this Parliament, although not in this place, long enough to know that he cannot accuse someone of deliberately misrepresenting positions — —

**Hon. J. H. Eren** — Well, did he?

**Hon. Bill Forwood** — Yes he did.

**Hon. J. H. Eren** — He did not hear!

**The President** — Order! Enough! I ask Mr Forwood to take his seat while the Chair is on her feet. Mr Eren is to stop interjecting. Mr Forwood is to stop debating and responding to interjections; he is to raise his point of order and then sit down so that the Chair can rule on it.

**Hon. Bill Forwood** — On the point of order, President, I put to you that Mr Viney should be made to withdraw the dreadful words he used in relation to Mr Rich-Phillips.

**The President** — Order! I do not uphold Mr Forwood’s point of order, but those words are not offensive and I do not believe the member needs to withdraw them, so I do not uphold Mr Forwood’s point of order.

**Hon. Bill Forwood** — President, Further on the point of order, I put to you that in the time you and I have been in this place it has never been the case that a person could not raise a matter on behalf of another person if that person did not hear what happened. If you wish, I am quite happy to cite the precedents for that. I put it to you, President, that your ruling needs to be reconsidered in order to follow the precedents of this house.

**The President** — Order! On Mr Forwood’s point of order, I stand by my ruling that, if the member is in the chamber, the member should raise the point of order. But leaving that aside, I still say to the member that the words used by Mr Viney are not offensive, and I am not upholding his point of order or asking Mr Viney for a withdrawal.

**Mr Viney** — Stop the clock. I want to use some time.

**Hon. Bill Forwood** — You started it! There are now two points in relation to this. Perhaps the Chair and I should consider this discussion elsewhere, in deference to Mr Viney and the clock, but I am reluctant to let this matter go now — but I will do so because otherwise Mr Viney is only going to have 54 minutes left. In fact I wish to reconsider. I thought he only got quarter of an hour. Let me make two points about the last ruling the Chair made.

**The President** — Order! Is the member raising a point of order?

**Hon. Bill Forwood** — I am making a comment on the Chair’s ruling.

**The President** — Order! Is the member reflecting on the Chair?

**Hon. Bill Forwood** — Does the Chair want me to reflect on the Chair? It is not my intention to reflect on the Chair, but it is my intention to get proper rulings in this place.

**The President** — Order! Now that is reflecting on the Chair. Mr Forwood is reflecting on the Chair with those comments, and I ask him to withdraw that or we will all be in a difficult situation.

**Hon. Bill Forwood** — Of course I withdraw.

**The President** — Order! I thank Mr Forwood.
Hon. Bill Forwood — It has never been my intention in any way to get into a dispute with the Chair, but I put it to you that the rules of this chamber should not be lightly flouted; the precedents must be listened to. I put it to the Chair that there are two precedents here that are in danger of being rapidly overturned. The first precedent goes to the capacity of a member to speak on behalf of another member, and that precedent is well established. The second precedent goes to what words are objectively offensive, and I put it to the Chair that if one comes in here and says that somebody is deliberately misrepresenting the words of another, that is objectively offensive.

The PRESIDENT — Order! For the third time I will state that I stand by my ruling. I also take up the member’s earlier comments about having a discussion later on about this, and I suggest he look at my predecessor’s ruling on 31 October 2000 where my predecessor indicated that a member can only object to a remark on behalf of another member if the member offended against is not present in the chamber.

Hon. Bill Forwood interjected.

The PRESIDENT — Order! Mr Forwood, I am not changing my ruling, which I stand by.

Hon. G. K. Rich-Phillips — On a point of order, President, I did not hear the words Mr Viney said but having heard Mr Forwood’s restatement of those words, they are deliberately misrepresenting. I do find those words offensive, and I ask that Mr Viney withdraw them.

The PRESIDENT — Order! On the point of order raised by the Honourable Gordon Rich-Phillips, I still stand by the ruling I gave to Mr Forwood about the words being offensive. I do not believe they were offensive. If the member had used more direct words, yes, but in debating a point in general business, I think the words were not objectionable. I stand by my ruling, and I do not require the member to withdraw.

Mr Viney, to continue.

Mr VINEY — Thank you, President. If it would help Mr Rich-Phillips, I am happy to withdraw the word ‘deliberately’ and say that he chose to consciously misrepresent the words of the minister at the Public Accounts and Estimates Committee (PAEC). What he chose to do was to represent the words of the minister — —

Honourable members interjecting.

Hon. G. K. Rich-Phillips — On a point of order, President, Mr Viney in his comments then was imputing motive by using the words ‘misleading’ et cetera. I put it to you that his reference to a deliberate intention to mislead and misrepresent is offensive, and I ask that he withdraw it.

Mr Gavin Jennings — On the point of order, President, this is actually very precious, petulant behaviour, given that the wording of the motion before the house is based upon Mr Gordon Rich-Phillips’s proposition about his interpretation of the statements made by the minister in front of the PAEC and in the house yesterday — his interpretation. He has put on the notice paper his view of the statements of the minister. The government has not actually got up and called upon the Chair to say that this motion is totally inappropriate. The government lead speaker in responding to the motion before the house is putting a different interpretation and saying that the interpretation of Mr Rich-Phillips is not in accord with the intentions of the minister and is inconsistent with the words used by the minister.

Mr Viney has used a variation of those words to put the government’s view in supporting the minister’s presentation at the PAEC hearing and the words the minister used in this house. The government has confidence in those words and refutes the proposition and construction put by the Honourable Gordon Rich-Phillips. That is the nature of the argument put by Mr Viney in the debate. As a consequence the government has not actually got up onto its feet and insulted the house and insulted the Chair by trying to say that this motion is not in the spirit of precedents in this place.

Hon. Bill Forwood — Come on! You have been here long enough.

Mr Gavin Jennings — I know I have been here long enough, and I know what performance is being put on today. I do not know for what benefit it is being put on, but a performance is being put on which is totally inconsistent with the nature of the debate before the Chair and totally inconsistent with the argument that lies at the heart of this motion. So if the opposition wants to say that the government cannot put a view about the interpretation of the words made by the minister, the government would then have every right to stand up and say that this motion is not in the spirit of the arguments put by the opposition in relation to its absolute preciousness about the way this motion can be debated.

Honourable members interjecting.
The PRESIDENT — Order! I have heard enough from the minister on the point of order.

Hon. G. K. Rich-Phillips — Further on the point of order, President, on the matter the Minister for Aged Care raised, the debate before the house today is a debate on a substantive motion relating to matters concerning the Minister for Commonwealth Games. Mr Viney’s comments in respect of me are not the subject of a substantive motion. If Mr Viney wishes to make those allegations, he can do so via substantive motion. I therefore submit that the allegations should be withdrawn as they are not in accordance with the practice on debate.

Mr VINEY — On the point of order, President, as I was saying in my opening remarks, the motion before the house is a serious and grave motion which purports to say that the minister has misled this place. The essence of the opposition’s proposition is on the interpretation of a set of words used at a Public Accounts and Estimates Committee hearing. The position of the government is to say that there is a different interpretation on that set of words than the one taken by the opposition. It is very difficult for me to be able to present this argument if each time I try to present it a member on the other side takes offence. In the context of this debate the essence of the argument is about the words used by the minister at a PAEC hearing and we need to have some freedom in this debate to argue about the interpretation of those words.

The PRESIDENT — Order! I am not going to relax the standing orders or the precedents of this house to allow a debate to take place in a free manner. We have enough free debate going on in this chamber at the moment, and that has been especially so in the last 10 or 15 minutes I propose to maintain order in the chamber.

On this occasion Mr Viney indicated that the Honourable Gordon Rich-Phillips had chosen to consciously misinterpret the words the minister used at a Public Accounts and Estimates Committee hearing. I understand that is a fine debating point: the opposition has said the minister misled and the government will want to argue that he did not, so it is a matter of the interpretation of words. However, the standards of the house should be maintained at all times. On this occasion, because there were added adjectives put in the comments, the Honourable Gordon Rich-Phillips took offence. I ask Mr Viney to withdraw his comments and continue his contribution.

Mr VINEY — Thank you, President. I withdraw.

The argument here is about the interpretation of the words used at the PAEC hearing. If you like, the opposition has chosen to represent those words in a particular way. It has chosen to represent those words as saying a particular thing which was not the intention of the minister; and nor can you interpret those words as a clear statement in the way the opposition has done. It is breathtaking hypocrisy for the opposition to come in here and argue a case about the Auditor-General, because the Auditor-General would not be there if it was up to them. That mob over there, and The Nationals as well, sat like a bunch of jellybacks when Jeff Kennett tried to nobble the Auditor-General — and in fact did. It was community’s opposition and the Labor Party being elected in 1999 that maintained the position of the Auditor-General.

It is the government’s position that the reporting on the Commonwealth Games needs to be clear, needs to be open and needs to be transparent. There are two sets of reports to be presented. The special purpose report comes through as an attachment to the Department for Victorian Communities annual report. There is no change to what is proposed there, nor does that require the approval of the Minister for Finance. The purpose of the special purpose report is to make sure that in each year there is a clear whole-of-government report on the operations of the Commonwealth Games. It is in stark contrast to the kind of approach that that mob took when it was in government and in stark contrast to the kind of hiding and cover-ups it did — for example, in relation to the grand prix. It is in stark contrast to the kind of cover-up it did in relation to the Public Accounts and Estimates Committee. While Mr Forwood was parliamentary secretary to the then Premier he was also chair of the committee. He took those two roles because what the then government wanted was a political fix.

Hon. Bill Forwood — You are talking about me.

Mr VINEY — You played the game, Mr Forwood. It was a political fix to cover up the fact that Kennett government ministers did not appear in front of the PAEC on anything like the number of occasions that ministers of this government have. The political fix meant that the Premier did not go. The government appointed Mr Forwood, parliamentary secretary to the Premier, as chair of PAEC as part of the cover-up. It nobbled the Auditor-General, put in a political fix on PAEC and made sure that no-one could get into the bottom of the accounts for the grand prix. This is the record of that lot on the other side. For them to come in and start criticising this government in relation to a comprehensive whole-of-government approach to the Commonwealth Games through the special report and
the Department for Victorian Communities is absolutely ludicrous.

On top of that — and this is something that the opposition clearly does not understand — is the reporting of the Melbourne 2006 Commonwealth Games organising committee. This committee is a statutory authority that must also present annual reports. It has already presented its annual reports. It will present its annual report for this financial year, the one we are already in. What is at issue is how it will account for the financial year in which the games are held. There has been a suggestion from people in the Auditor-General’s office that there could be a later reporting date than 30 June 2006 because not all of the expenditure in relation to the games will be completed by that date. Therefore the risk and audit advisory committee suggested to the board of Melbourne 2006 that it may wish to extend the reporting deadline. Through discussions with the Auditor-General’s office it was suggested that it may be useful to have a later financial year reporting to ensure that all the factors associated with the Commonwealth Games are reported properly in an open, transparent and total way.

There is no political fix on this, unlike the political fix that Mr Forwood fulfilled for his Premier. There is no political fix on this; this is coming from the Auditor-General’s office and the risk and audit advisory committee to the Melbourne 2006 Commonwealth Games committee. This is part of making sure that there is a full and comprehensive report that does not report just on the financial year ending 30 June 2006, when all the income and expenditure will not be fully accounted for. There are sponsors who may wish to split their sponsorship over two financial years, for example. There are all sorts of costs and incomes that may be spread into the next financial year, and therefore it may well be useful to have a later reporting date. If the Melbourne 2006 Commonwealth Games committee chooses to do that, as a statutory authority it will seek that from the Minister for Finance under the requirements of the Financial Management Act.

At no point during the PAEC hearings did the minister say that such advice had already been sought. What he said was that it was at the suggestion of the Auditor-General and with the support of the Minister for Finance — meaning in the true sense of the words, as the minister said in the Age today, it depends on where you put the comma. As I am sure Mr Forwood understands, and as Mr Rich-Phillips outlined, it will require that in accordance with the Financial Management Act.

Unlike the approach of members of that mob over there, who were a bunch of jellybacks under the Kennett government and let Jeff Kennett use his jackboot tactics all over the Auditor-General, and unlike the situation with the political fix Mr Forwood put in for the Premier of the day as the chairman of the Public Accounts and Estimates Committee while at the same time taking his riding instructions from the former Premier as his parliamentary secretary — that was the political fix — this government has taken an open, transparent, whole-of-government approach.

Let us contrast that political fix mentality of the Conservatives and what they did with what this government has done. Not only have we taken an open and transparent approach to the reporting of the Commonwealth Games, but there are no special deals for members of Parliament with the Commonwealth Games. The Premier has made it clear that members of Parliament are not to run in the baton relay. There have been no special ticket allocations for members of Parliament from either side. Even the Minister for Commonwealth Games had to put his family into the ballot for tickets to the Commonwealth Games, so there are no special deals on this side in relation to the Commonwealth Games.

What a contrast that is to the mob over there and their mates in Canberra. The political fix mentality of the Conservatives every time rings true. What we get is Mr Rich-Phillips coming into this place trying to play politics with the Commonwealth Games — absolutely trashing the Commonwealth Games and playing politics with them after time. Mr Forwood will probably get up next for the Liberals, although a member of The Nationals may get up first, and no doubt he will play politics with this too. He likes to play a bit of politics. We know they are true to form because the Herald Sun of 9 June in an article on the Commonwealth Games states ‘Funding tied to starring role — Coalition’s baton grab’. Their little secret was blown out of the water by the Herald Sun.

In a funding arrangement where the state government was to put in $700 million and the commonwealth government was to put in $100 million the commonwealth government refused to have anything to do with the Melbourne Cricket Ground development — another political fix. It would not get involved in that. The commonwealth government and its political fixers have now said they will fully fund the baton relay to the tune of $15 million out of the $100 million. What do they do when they fully fund the baton relay? They say, “We agree with the Bracks government that members of Parliament should not run, but we have a better plan than that. What we will do is make sure there is an
Australian government representative on the dais at the end of the day to receive the baton and to put it in the stand to fire up the big sound and light show. Not only that, the Australian government representative should chair the organising committee for the festival of events that take place when the baton relay stops for the night’. That is what they have done. The political fixers are in. They are in opposition at the moment, but they would have the political fix if they were in government and running these games.

In Canberra they have done the political fix on the baton relay. They fund $15 million for the baton relay, one-seventh of the total cost of the games, but they capture the big moment when the baton goes in and fires up the sound and light show with an Australian government representative. What will really happen and what the Herald Sun has not revealed is who that Australian government representative will be. It will be a coalition senator or member of the House of Representatives. It is the political fix to try to take over the Commonwealth Games and get mileage from them. What is worse, the commonwealth says that is not enough. It is not enough to have a local coalition member in a marginal seat as the Australian government representative who takes the baton — that is not enough. It will subject the poor people who are going to the ceremony for the night to a video, a video of John Howard and Peter Costello! The political fixes are absolutely in on this.

They are making politics out of the Commonwealth Games. They are representing the words of the minister in a particular way to suit their political fix. That is what they are doing. They are proposing a grave motion about misrepresenting the house and then trying to stifle the government’s response with their points of order. The political fixers are well and truly in Canberra. They have taken over the baton relay and insisted that an Australian government representative, who of course will be a coalition senator or member of the House of Representatives, be chair, and they will subject the poor people who go to one of these events, a community event, to a political diatribe in a video featuring the Prime Minister and the Treasurer. The political fixers have decided to take over the Commonwealth Games because they funded those bits they thought were high profile.

That stands in stark contrast to the approach of this government to make it an open, transparent event; to make it a community event; to make sure there are community events across the state; and to make sure each municipality takes on one of the 71 teams. My electorate of Frankston is taking on Samoa, and across the state these things are happening. There will be community events and celebrations across the state. We know from the Liberals that when they get the opportunity they put in the political fix, just like they did when they nobbled the Auditor-General with the political fix by Mr Forwood through the Public Accounts and Estimates Committee. Of course the fixers were undone federally in relation to the coalition’s baton grab. The editorial of the Herald Sun on the next day is headed ‘The games pollies play’. It says:

The Howard government needs to be told that its MPs are not wanted as gladhanding VIPs during the Commonwealth Games baton relay.

I say hear, hear to the Herald Sun editorial.

What we have in the Commonwealth Games coming to Victoria is the largest sporting event this state has seen. It is the equivalent of putting the Australian Formula One Grand Prix, the Spring Racing Carnival and the AFL grand final on every day for 12 days. We will have a community festival across the whole of the state. We will have a celebration, if you like, of the great strength of Victoria as a sporting state and the great strength of Victoria in putting on major events. These are the celebrations that we want to welcome as part of the Commonwealth Games. It is a terrible shame that members of the opposition should come in here and choose to deliberately misrepresent the intentions of this government in relation to making it an open and transparent celebration of what Victoria stands for.

We come to the substance of the motion. I completely disagree with the agreement reached between the opposition and the government on not amending the opposition’s motion. I believe in some circumstances when the opposition puts up motions such as the one we have today there should be an opportunity for the government to put forward an amendment.

I do that by pointing out that in this motion the opposition has played its tricky game in that in the first part of the motion it says the house affirms its support for the Commonwealth Games. It has done that at the beginning of the motion and then presented one of the gravest motions before the house that alleges that the minister has been misleading. Clearly the government will not support a motion that puts before this house that the minister has been misleading. We have made it absolutely clear — and I have made it absolutely clear in my contribution — that at no point has the minister misled anybody in relation to this; at no point has the minister misled anybody in relation to this matter. However, we have an agreement that we will not amend motions. While we had proposed an amendment...
in response to the opposition’s motion, we have decided that we will not put forward the amendment today but will oppose the motion. That, of course, presents a considerable difficulty for the government in opposing a motion that affirms its support for the Commonwealth Games.

The opposition has consciously done this. We understand the little tricks and politics that opposition members will run out. I make it absolutely clear that this trick of the opposition will not work because I will tell the opposition what the government will do. I am foreshadowing that tomorrow I will give notice that I will move a motion that affirms this house’s support for the Commonwealth Games and endorses the action taken by the Minister for Commonwealth Games in adopting budgetary arrangements for the games which ensure complete financial transparency and accountability. I will give notice of that motion tomorrow and inform the opposition that that motion will be put in the next sitting week. We will not allow opposition members, because of their longstanding commitment to tradition in this house and their continuous refusal to support any change or new forms in this house, to come in here and propose trumped-up motions that attempt to embarrass the government whichever way it votes. We will not let them do that.

We are making it clear in this debate today that because of opposition members’ objections to us moving an amendment, we will let them have this motion and we will vote it down, but what we will do is that we will put on the notice paper tomorrow the proposition that I put on the notice paper for Victorian Communities will instruct Melbourne 2006 on how to delegate powers and how to act on certain occasions.

Hon. D. K. DRUM (North Western) — I have a lot of time and respect for Mr Viney and the work he does in this chamber, but why on earth the government would allow Mr Viney to tell us what the minister supposedly said and did not say at a Public Accounts and Estimates Committee (PAEC) hearing last week is absolutely beyond belief. The minister is sitting in his office in Parliament House, so why would he not come into the chamber and tell us what he did or did not say; why would not the minister be here to defend himself; why would the minister meet with Mr Viney in a backroom and tell him what to say when he comes into the chamber; why would not the minister come in here and say it himself; why would the minister meet with anybody and tell them what he did or did not say at the PAEC hearing? The PAEC hearing is on record so everybody is entitled to view the Hansard record of the PAEC hearing. We will be able to read what the minister said. If it is to be laid out for everyone to read what the minister said, why would you meet with someone in a backroom and say, ‘This is what I want you to say. This is what I said. I did not say what is written in the committee transcript. I did not say that, I said something else and I want you to go in there and tell them for me’.

It is an absolutely ridiculous course of action that the minister would not come in here and tell the chamber what he said. If there has been any misrepresentation then he can spend as long as he likes to answer all of those questions. If he made a mistake he should simply come out and say, ‘I may have made a mistake’. Do you think the people of Victoria will care? Not in the slightest. They might even think it to be refreshing from a parliamentarian or even a minister saying, ‘Listen, under the heat of the inquiry I actually said something that is not exactly right and I want to have the opportunity to redress that situation’.

Instead, it seems that all the minister has done is dig a hole that keeps getting bigger and bigger and he now finds himself deep within it. This is a perfect opportunity for anybody on both sides of the house to come in and say, ‘This is what I said, this is what I meant and this is the situation we now find ourselves in’.

The letter that was introduced in the chamber yesterday is a very strange document because it does not have a heading, and we do not know where it originated from. It has simply materialised. It is a joint statement by the Department for Victorian Communities — we know that the Department for Victorian Communities takes on two statutory bodies. It has its own power that operates under Yehudi Blacher in its day-to-day business as the Department for Victorian Communities which encompasses seven or eight portfolios, but under the Commonwealth Games it also takes on the power of a body corporate that has a strong relationship with both Melbourne 2006, which effectively has nobody in it. There is a body corporate that has no members, and that is in legislation that will come before this house maybe this week, and I will make mention again of this unique situation where the Secretary of the Department for Victorian Communities will instruct Melbourne 2006 on how to delegate powers and how to act on certain occasions.

In fact it is Melbourne 2006 directing the secretary to redirect them on what to do. That is a by-product of the way in which the games are being organised. It seems to be above board, but it is worth noting that this relationship between the Secretary of the Department
for Victorian Communities and the minister’s office is one where the minister directs Melbourne 2006 on what to do and it can be reported to the minister, but Melbourne 2006 works on the same level as the Department for Victorian Communities as a body corporate.

Getting back to the letter that was introduced yesterday, it has now been reported by the minister’s office that discussions have been ongoing between the Auditor-General and the Department for Victorian Communities since 2003. It seems to be an enormously long bow to draw. You can imagine the amount of informal discussions that take place in relation to the running of the games: informal discussions with the police; informal discussions with VicRoads in relation to the public transport organisation of the games; informal discussions with people running the Melbourne Sports and Aquatic Centre with all the buildings there; and informal discussions with the contractors at the Melbourne Cricket Ground and all the major venues that will be undertaking the events.

It is staggering to think that an official letter will be derived on the back of an informal discussion that took place some two and a half years ago. That is the situation in which we find ourselves. What has to be remembered is that these games are not the Labor Party’s games.

Mr Pullen — Tell your federal colleagues that.

Hon. D. K. DRUM — These games are not the Labor Party’s games, they are Victoria’s games. I take on board the objection by Mr Pullen.

He said, ‘You want to tell your federal colleagues that’. This government struck a deal with the federal government and said, ‘We want some money from you. We want some sponsorship. What can we give you? We will give you the Queen’s baton relay’. It got the price it wanted. If there were any private company or private sponsorship, those people would say, ‘We want certain aspects of the sponsorship. We want to be able to promote our company. We want to be able to promote it ourselves’. It just got gazumped. It is quite interesting that the state Labor Party has been gazumped by the federal government. Government members are the absolute champions of media spin. They have taken exception to the fact that another government out there for once has elected to play this government’s game and leave it out in the cold in the process. It has absolutely taken offence.

The number of times we have had our good minister announce that we are going to get a regional basketball series in Bendigo is staggering. We have had a lot of informal jokes about how many times we can get the minister to come to Bendigo to announce that there are going to be basketball games for the Commonwealth Games in Bendigo. That is the game this government plays. It is absolutely staggering to think that the Minister for Commonwealth Games came to Bendigo eight months after Bendigo hosted the Commonwealth Youth Games. Do you know why he came? To tell Bendigo what a great event it was. I am afraid the people already knew it was a great event, because so many of the Bendigo people were volunteers at the even. The minister still had to get there because there was a fantastic press response again.

What about the carbon-neutral games? That press release was another fictitious statement by this government to promote itself in the environmental sphere. I have asked this question of the minister in the house: how many tonnes of carbon are going to be created by the games with all the extra activity? Unless you know how many extra tonnes of carbon you are going to create, how do you know how many plants you have to grow? Two and a half million were going to be grown. That is great! I asked, ‘When are you going to plant them?’ The answer was, ‘When we get a chance’. Do the 2.5 million trees have any relation to the amount of extra carbon? Now we are only going to plant a million. What happened to the other 1.5 million? We do not know. This is all just media spin, is it not? This is just an opportunity for the government to tell the world it loves the environment. It is all just an opportunity to get out there and say something positive about the environment because members of the government do not want anyone telling us that the extra activity might actually be harmful to the environment.

So now the government is going to go out and plant a million trees. What is that going to cost? How is it going to get the trees planted? Where is it going to plant them? It has come up with a plan as to where they are actually going to be planted. There are no costings on how it is going to get these 1 million trees planted, the number having come down from 2.5 million. There is no science associated with the carbon decrease. The carbon-neutral games slogan is just another example of a scam that is designed to show that the government is concerned about the environment and is going to plant a lot of trees. We will be counting every tree that gets planted in every tree-planting program around the state. We will be counting them as part of our carbon-neutral games. The government will be using this to its absolute maximum every chance it gets.

The thing I mentioned a little while ago was that the government has to understand that these games are Victoria’s games. The absolute majority of people in...
this state are looking forward to these games as their games. They are not looking forward to them as Labor’s games. Some people would not even know who is in government, and most people would not care. They would not know that the Liberal Party did the vast majority of the work in preparing the games bid. Most people do not know that, and most people do not care. It is really no-one’s business. The fact is that Victoria is going to be hosting the games. People are rapt that so much is going to happen. People are aware that when you have fantastic events like this you are left with enormous legacies. That is what people understand. When cities have the Commonwealth Games or the Olympic Games they are left with enormous legacies. We are still benefiting from the legacy left by the 1956 Olympics.

People love the fact that we have the ability to host major events like the Commonwealth Games. People look at our facilities and just marvel. It is fantastic to drive around the sporting precincts of Olympic Park, the Melbourne Cricket Ground (MCG), Vodafone Arena and the Rod Laver Arena. When you go across to the Melbourne Sports and Aquatic Centre (MSAC), especially at grand prix time, you become aware of the fact that this city can cater for these events — and it caters for them almost on an annual basis. There is also the Boxing Day test, the tennis grand slam, grand final day and the one-day cricket series. This kind of culture has been built up over the years, and the 1956 Olympic Games in Melbourne played an enormous role in providing us with sporting infrastructure to build on. These games will create a similar legacy.

We are going to find that the amount of sport infrastructure developed as a consequence of these games will be immense. The development that has gone on at the MCG will leave us with one of the truly great stadiums of the world, albeit it will cost us $90 million over and above what it should have cost so that we could placate the unions that were not prepared to work under the federal award and wanted to work under their own conditions. So be it, that is fine. I suppose the state could have used that $90 million in other areas, but that is fair enough. It has also been pointed out that we have put ourselves in the box seat for and been successful in enticing the 2007 world swimming championships to this city, again because of the work we have done in preparing for the 2006 Commonwealth Games. Everything we do that is associated with these games will create a better environment. A $51 million open-air pool at MSAC will be a tremendous legacy. We are going to have lighting on footpaths along the Yarra River, we are going to have a new bridge from Birrarung Marr to the sporting precinct and there will be a whole range of other additions to our infrastructure. We are happy that that is going to be the case.

The pitches at the State Netball and Hockey Centre are to be redone. It will cost $800 000 to put in two new hockey pitches. There is a rumour that Bendigo, which has put in a major funding facilities application for its own wet-weather hockey pitch at Garden Gully, has been unsuccessful. Even though the local hockey authority is prepared to put $300 000 of its own money towards the project, unfortunately it looks like it is going to miss out on that funding, — which is normally a $500 000 grant. If Bendigo does not complain too much, stays nice and quiet and does the right thing by the government, we have been told we might get one of the second-hand pitches that will be discarded. They are not good enough for the Commonwealth Games but they might be sent up to Bendigo and that should placate the people of Bendigo. They will get the second-hand pitch which might be good for a couple of years. It is better than nothing. It is better than playing on muddy pitches, and it is better than playing on concrete, so if we get the opportunity we might take the second-hand pitch.

We are going to be left with the games village. It will be a private concern.

Hon. D. K. DRUM — Yes, there is going to be a public housing component, and it will be interesting to see what form that takes and whether it is going to be taken up predominantly with aged care housing or with integrated social housing. One of the overriding aspects of the games — and we have been told on numerous occasions that we are to have this open and transparent games process — is that it has been very difficult. We have an extremely positive attitude to the running of the games. We understand the benefits, we understand the excitement that is mounting up. I have been wearing a pin advertising the games for the last six months because I am looking forward to them. It is also worth noting that I entered into the ballot only last month.

Mr Lenders — Have you volunteered?

Hon. D. K. DRUM — I advise Mr Lenders that I will be happy to volunteer. I was about to say that I entered, along with my family, into the ballot in the last month for the swimming, the regional basketball and the athletics. Unfortunately I missed out. My kids are now asking me if I am going to be able to get a ticket. I have told them I might have to call in some favours from the minister, but I might not be able to wrangle that.
But Mr Lenders has given me an idea. Maybe my children, my wife and I can nominate as volunteers, and we might then be able to see an occasional event in between the pillars as we hand out directions on where people should be sitting. That is okay. I am sure there will be plenty of other MPs from Victoria who will volunteer to do various jobs throughout the course of the games. We have raised the issue of the ballot in this chamber. That the government allowed a situation where families with three or four children could not go as a family unit to Commonwealth Games events is absolutely ludicrous and beyond belief. I do not know what the people in the chamber who are the decision makers in the government were thinking when you consider that there will be twice as many public seats available at this event as were available at the Sydney Olympics in 2000 yet at the Olympics there were no restrictions on family members getting tickets. It is a very simple analogy.

The government has just grabbed this idea from somewhere and put on the restrictions. I do not know why I was worried, because I did not get any tickets anyway. Hopefully, I will be able to get some tickets in the second round ballot, which I believe is running at the moment. I have not yet applied, but I will do that very shortly.

We know the economic benefits are worth while, and that is why I get so frustrated — and people on this side of the house get so frustrated — about the secrecy surrounding the figures associated with the Commonwealth Games. We have an extremely positive attitude to the delivery of the games. We want to see how things are going. We understand the economic benefits are going to far outweigh the cost of the games. In 2004 we met with the CEOs of the north-western municipalities in Swan Hill. The member for Mildura in the other place took the floor and condemned the $30 million the state government was going to spend on the opening ceremony. He was trying to garner support from all the regional mayors and CEOs by saying that we should not spend $30 million on the opening ceremony. He was trying to garner support from the federal government. It said that the government allowed a situation where families with three or four children could not go as a family unit to Commonwealth Games events is absolutely ludicrous and beyond belief. I do not know what the people in the chamber who are the decision makers in the government were thinking when you consider that there will be twice as many public seats available at this event as were available at the Sydney Olympics in 2000 yet at the Olympics there were no restrictions on family members getting tickets. It is a very simple analogy.

The government has just grabbed this idea from somewhere and put on the restrictions. I do not know why I was worried, because I did not get any tickets anyway. Hopefully, I will be able to get some tickets in the second round ballot, which I believe is running at the moment. I have not yet applied, but I will do that very shortly.

We know the economic benefits are worth while, and that is why I get so frustrated — and people on this side of the house get so frustrated — about the secrecy surrounding the figures associated with the Commonwealth Games. We have an extremely positive attitude to the delivery of the games. We want to see how things are going. We understand the economic benefits are going to far outweigh the cost of the games. In 2004 we met with the CEOs of the north-western municipalities in Swan Hill. The member for Mildura in the other place took the floor and condemned the $30 million the state government was going to spend on the opening ceremony. He was trying to garner support from all the regional mayors and CEOs by saying that we should not spend $30 million on the opening ceremony. I am quite happy to tell members that I took the floor immediately after him and said that, irrespective of cost, The Nationals will support the games and the opening ceremony because that ceremony is so much a part of how the games will be judged.

If it is possible to come up with a unique and dynamic opening ceremony, it will speak volumes for the way our games will be perceived around the world and therefore how our city and our state are perceived around the world. I have no problem in letting people in this chamber know that when put under pressure in public forums The Nationals will stand up and support these games to the nth degree. We have done it in the past, and we will continue to do it. The 2002 Manchester games cost in the vicinity of $1.2 billion, but it is believed their overall benefit to the city will be around $2.4 billion. The Sydney Olympic Games cost around $6.5 billion and generated an estimated $16 billion in economic benefits.

So we have a situation where the government is continuing to play the line about its budget. I think the Minister for Commonwealth Games has stood before this chamber about 20 times and said that the 2006 Commonwealth Games will be delivered on time and on budget. We always laugh at that and ask him which budget he is talking about. Is he talking about the original budget or is he talking about the revised budget? The budget has been altered a few times, and not all of the announcements have been made by this minister. In 1999 the Premier revised the budget to some $300 million, so I do not know whether the minister was talking about that budget. In 2000 the costs were tipped to exceed $350 million, and Minister Madden stated that the original costs were underestimated and that the budget now had to account for an additional $70 million to $100 million.

In 2001 the budget was set somewhere upwards of $400 million to $500 million. In 2002 Ron Walker said the games organisers had asked the state government to boost its $500 million budget target. In 2002 he said that $500 million would not cut it. In August 2002 Mr Walker pushed the cost estimates up towards $1 billion but said the state government was keen to rein in costs to the original draft budget of $700 million. Obviously there was a large component for security around the games in that figure. Mr Rich-Phillips has read it out previously, but I will also read out what the Premier of this state publicly included for the security of the games as part of the $700 million.

In February 2003 the full cost of staging the games was to be achieved within the $700 million. Later that year the Bracks government realised that there would be some further costs in relation to operating expenses and capital investment and that a total government budget outlay of $1.1 billion would be necessary, with $700 million coming from the state. In February 2004 the government said it would still cap the state’s expenditure at $700 million but it could not longer deliver the whole cost of the games within that amount, so it would expect over $100 million from the federal government. It said that it could no longer deliver the games on time and on budget and that it would keep that budget in place but would have to create an additional budget where the federal government would
help out. It said that it would have to create a private budget and create other items.

Just recently the government has realised that security cannot be delivered within the $700 million budget, so decided it would take out a certain amount. In 2003 the Premier was quite clear about the security aspects that were part of the original $700 million; they were always going to be included. We now find that that aspect is going to be taken out of the games budget.

The minister will still stand up in the house and say that the government is going to deliver the games on time and on budget, but in February 2003 the Premier went public on the issue of the security measures. He not only went public on these measures, but as Mr Rich-Phillips said, he detailed them. He said there would be $1.2 million specifically for the emergency services to increase their capacity to respond to chemical, biological and radiological materials. He detailed the aspects of security the government was going to target. The Premier then detailed the $3.8 million for the new surveillance and communication equipment for the police. He said that $6 million would be spent on a new, secure, state crisis centre equipped with encrypted communication networks linking key federal and emergency services agencies. He was very specific. He said $6.4 million would be spent to ensure that the operations of Victoria Police cannot be interrupted by a targeted terrorist attack. You cannot get much more specific in detailing the security measures that you are — or are not — taking than the Premier did in 2003.

You cannot get any more specific than that, so for the government to now turn around and say, ‘We do not want to tell you how much we are spending, because it might be a terrorists’ welcome mat. We do not want to tell them what we are spending because it may inadvertently tell them what we are not spending, and that will somehow heighten our profile as a target for terrorists’ is one of the best excuses we have yet heard from this mob. It is one of the best ever. The Premier said $2 million would be spent on a new high-level security police unit in the Department of Premier and Cabinet to closely liaise with the other state and commonwealth bodies. ‘Let us not tell them what we are doing in case they come and get us’!. What a beauty! The government is just too good. It says, ‘We do not want to tell you because we do not have to. We will do whatever it takes to not tell you’. That is the biggest frustration.

Everybody agrees that this is a great event. Everyone agrees that it is going to be of enormous economic benefit for this state. Everybody agrees that we are going to be left with an enormous legacy that is going to be the best ever. Yet they just keep hiding the figures and hiding behind the fact that, ‘We made a promise back then and we cannot dare break it, so we are going to keep this feeble little promise that we will deliver the games at $700 million and we will get more off the feds. We will get more from sponsorship, we will go and take this area. We still have not worked out who is going to pay for the security and the extras, but the extras are not being taken out of the budget. Are we going to pay for it with bottle tops? How are we going to pay for it? Just because it is outside of our budget does not mean anything. We have not worked out how we are going to pay for it yet’.

Hon. B. W. Bishop — Fly Buys!

Hon. D. K. DRUM — We might pay for it by Fly Buys! We might be able to get EBank Trade to pay for it with a different type of payment. Now that we have taken out of our budget what was about $20 million back in 2003 for the known security measures of that time, we should be spending about $20 million or $30 million less, shouldn’t we? If we have taken $30 million security out of the budget — —

Hon. Bill Forwood — Try a hundred.

Hon. D. K. DRUM — Maybe it was 50, maybe it was 70 or 80. Now that we have taken it out of the budget there should be a little hole in the budget, so our cap should be revised down to around $670 million or $640 million because we have taken security out of the budget. We have placed it over here on the left-hand side somewhere and we are going to fund it by chook raffles or some other way outside the budget. So where is the hole? The hole should be there. The government says, ‘No, the hole is not going to be there. We are still going to spend $700 million’. The question needs to be asked: what was previously going to miss out that is now not going to miss out? There must have been some $30 million, $40 million or $50 million worth of associated programs, whether they were public transport programs or beautification programs, whether they were giving a bit of money to local governments, I do not know what it was, but we have certainly created a hole in the budget. That hole should be there, but we have been told it will not be there. We have been told that we are going to use the whole $700 million.

Hon. Bill Forwood — Plus, plus, plus!

Hon. D. K. DRUM — Plus, plus, plus, very good. I will now complete my contribution. I do want to say that the minister should be in this chamber today. I truly hope the minister comes in here today. He talks about
the fact that at the Public Accounts and Estimates Committee last week he did in fact say that the financial year has been extended at the Auditor-General’s suggestion to 2006, with permission from the minister. That is what he said.

*Honourable members interjecting.*

**Hon. D. K. DRUM** — That is what is listed. If he has come in and correct that statement, he should be here in person correcting what is listed as having been said.

**Ms Romanes** — That is your interpretation.

**Hon. D. K. DRUM** — I am only reading what is being widely interpreted out of that meeting and that is certainly a very serious situation. I think the minister should simply say he made a blue. Let us put it behind us and move on and have the greatest games of all time.

**Hon. BILL FORWOOD** (Templestowe) — At the outset I commend Mr Rich-Phillips for bringing this serious motion before the house and I congratulate him on his logical and measured exposition of the situation. When the Public Accounts and Estimates Committee (PAEC) meets, the first thing it does is invite the minister at the table to present to the committee. We go through a process normally of 10 minutes when the minister produces some slides and gives a commentary to those slides and sets the scene for the questions that follow. It was during this process of slides and comment by the Minister for Commonwealth Games at the PAEC meeting. There were no quotes from the Hansard documents but they will have been notes that he took at the Hansard hearing the Minister for Commonwealth Games made comments that have been widely attributed to him. I am sure there is a comma there — in 2006, with permission from the Minister for Finance, to September 2006 to enable all the costs and issues in regard to the wrap-up of the games to be included, so I think that is worth the committee appreciating in relation to next year’s PAEC hearing. This was not in response to a question.

**Mr Viney** — On a point of order, Acting President, my understanding is that the transcript of the PAEC is not actually yet released. I am just asking for a ruling on whether or not it is appropriate for a member in this debate to be quoting from a draft transcript of the PAEC in this debate. It would seem inappropriate at draft stage to be quoting directly from the Hansard transcript of PAEC hearing.

**Hon. BILL FORWOOD** — On the point of order, Acting President, I said in my contribution that I had recently refreshed my memory to the words that were said. I was not quoting from the document. What I was doing was reciting to the house the words that I put in my head after I refreshed my memory, which I am quite entitled to do. If you check the Hansard, you will see that I did not quote in any way, shape or form. I refreshed my memory and I said with absolute certainty the words that I have just said, and I know they are what the minister said. I make the point that if Mr Viney wants to use up my 9 minutes of this debate on points of order as revenge for losing 5 minutes of his, he can do it.

**Mr Viney** — Further on the point of order, Acting President, I moved to my place but I was listening to the contribution and Mr Forwood may well have put that preamble to his contribution, but he was clearly head down reading, and not only was he head down, reading, he was referring to comments. So I am asking, Acting President, that you advise the member that he is not to quote directly from the draft Hansard record of the PAEC hearing.

**The ACTING PRESIDENT** (Hon. C. A. Strong) — Order! I think that in the introduction to his comments Mr Forwood made it abundantly clear that he was not quoting from the Hansard record. Clearly he was quoting from some documents but they will have been notes that he took at the meeting. There were no quotes from the Hansard record, so I rule the point of order out.

**Hon. BILL FORWOOD** — Let us be very clear that at the Public Accounts and Estimates Committee hearing the Minister for Commonwealth Games made the comments that have been widely attributed to him. They were that at the request of the Auditor-General and with the permission of the Minister for Finance the financial statements lodgement had been extended to September 2006. Since then we have what can only be described as an unseemly attempt by the minister to get out of the problem he created for himself by his comments, made without any pressure. As Mr Drum rightly said, every time he says something else, he digs a deeper hole. We have now had from the minister or his staff three statements in various newspapers and two statements in this place. I want to refer to yesterday’s *Daily Hansard*, and I quote the minister, as I am able to do:
I would like to put on the record the following: a joint statement presented to me by the Auditor-General, Mr Wayne Cameron, and the Secretary of the Department for Victorian Communities …

Mr Rich-Phillips followed up those words himself. When the transcript becomes available, honourable members will be able to see that in a somewhat indignant performance the minister iterated on more than one occasion that this issue was done at the request of the Auditor-General. He did not talk about the audit office, he said the Auditor-General. Like Mr Rich-Phillips, I have spoken to Mr Cameron and we look forward to hearing what he says when he appears before the committee in relation to this matter. He said to me, ‘I have made no such request’. The house today has a choice between believing an officer of the Parliament, Mr Wayne Cameron, who said, ‘I have made no such request’, or the minister. Perhaps the minister could come in here and explain what he actually meant.

What we have subsequently discovered in the scramble to get out of the mess he created is that the minister now says there were some discussions by unnamed people in 2003 and that is the basis on which he made his comments. We look forward to him appearing before the Public Accounts and Estimates Committee again and explaining what the nature of those conversations was, who had them and who wrote him the briefing note that gave him the information. We will be seeking to have that document tabled before the Public Accounts and Estimates Committee. I look forward to an opportunity in the debate that will follow in a week or 10 days time to continuing my contribution, which has now been severely terminated.

Ms ROMANES (Melbourne) — I rise to oppose the motion. The government will put forward its own motion on the Commonwealth Games tomorrow, as foreshadowed by Mr Viney. I oppose the motion because, as he has been doing for some time, Mr Rich-Phillips is out to create mischief in regard to the Commonwealth Games. He continues the practice of using the Commonwealth Games and the information provided to him by the government to attack the minister.

I acknowledge comments that have been made in the house today that the Commonwealth Games were secured by the Kennett government. However, members will recall that the Labor opposition at the time took a bipartisan position in support of the Commonwealth Games. In government we thought we had gained a bipartisan position and support from the opposition, but the actions of opposition members continue to betray that supposed bipartisanship as being hollow. Mr Rich-Phillips, as opposition spokesperson on the Commonwealth Games, continues to talk down the games, to deliberately misconstrue facts and figures, to cast doubt on the games at every turn and to use them for his own dubious political purposes. The opposition is playing politics with the Commonwealth Games and, as with its federal counterparts, this is grubby politics. However, it was interesting to see the grubby politics being played by the opposition exposed in an editorial in the Herald Sun on Friday, 10 June. The editor clearly displayed that that newspaper has the federal coalition’s measure and asked it not to hog the limelight but to butt out of the games and leave the glory to the athletes rather than trying to put federal coalition politicians up front at various events.

The editorial states:

Victoria’s sports minister, Justin Madden, is right when he says the federal government is trying to turn the games into a ‘political propaganda’ fest.

The arrogant list of demands sent to Victoria was approved by federal sports minister, Rod Kemp.

The federal government has already shortchanged the Commonwealth Games by withdrawing $90 million in funding for the redevelopment of the MCG, the main games venue, over industrial policies.

Despite what Mr Rich-Phillips and other members of the opposition say, there are representatives of the media and the community who understand exactly what opposition members are doing.
One of the critical objectives of this motion today is to try to misrepresent the intentions of the Minister for Commonwealth Games. All along the minister and the government have been totally committed to transparency and accountability on expenditure programs for the games. This is completely in keeping with the enhanced transparency and accountability of the Bracks government over the past five years. This has been highlighted by the increased powers of the Auditor-General, which were introduced very early on after the Bracks government was elected. It is highlighted even further by the increased role of the Public Accounts and Estimates Committee in scrutinising executive government in this Parliament.

As I mentioned yesterday in my 90-second statement, since the year 2000 under the Bracks government all ministers and the Premier appear before the Public Accounts and Estimates Committee each year to give evidence on their budget estimates. That has meant over 50 hours of hearings and evidence every year since 2000. Compare that with the activities of the Public Accounts and Estimates Committee under the Kennett government. The then Premier never subjected himself to scrutiny during his period as Premier, and not all ministers appeared before the PAEC. There was a selection of portfolio ministers each year who appeared before the committee. What is happening today is that Mr Rich-Phillips is trying to misconstrue and utilise evidence given by the Minister for Commonwealth Games to the committee. The minister was prepared, and the government was prepared to have the minister do it, give evidence for 2 hours before the Public Accounts and Estimates Committee, which is very different from the approach of the previous government.

In terms of transparency and accountability, what we are talking about specifically in terms of reporting on the Commonwealth Games are two different kinds of reporting. One is the specific purpose report, which was developed by the Department for Victorian Communities for the Office of Commonwealth Games and has actually been covered in the last two annual reports — more fully in the 2003–04 appendix of the annual report of the Department for Victorian Communities. It is endeavouring to provide a whole-of-government approach and to bring into one report all costs relating to the Commonwealth Games. That is an approach that in a recent PAEC report on corporate governance was recommended by members of the committee as being very important wherever there are events that require resources and programs to be spread across government. The PAEC was looking to see this kind of whole-of-government reporting as an outcome of whole-of-government activities.

Discussions with the Auditor-General’s office on how best to report at a whole-of-government level and to capture all significant costs have been undertaken over a period of years. This is entirely consistent of course with the enhanced role the Bracks government has given to the Auditor-General’s office in terms of performance reporting. As we know, in addition to financial reporting the Auditor-General undertakes a number of performance reports each year — in fact the Auditor-General is holding a lunchtime conference on the two performance reports that were tabled in Parliament today. The specific purpose report — this whole-of-government report — endeavours to capture the various elements and costs of government activities into one report for enhanced and very clear reporting and accounting to the Parliament. It is an important and valuable step forward.

The Minister for Commonwealth Games yesterday quoted from a statement by the Auditor-General, Mr Wayne Cameron, and the Secretary of the Department for Victorian Communities, Mr Yehudi Blacher, which spells out that there have for some time been ongoing discussions between the staff of the Auditor-General’s office and the Department for Victorian Communities about the preparation of the special purpose report on the Commonwealth Games.

The other reporting requirement is, as a statutory authority, for Melbourne 2006 Commonwealth Games Corporation to provide to Parliament each year an annual report that includes an operating and financial statement. Discussions about how to capture all costs have been canvassed by the M2006 board and the risk and assessment committee, but it is absolutely clear that any extension of a 30 June reporting date that would enable all costs to be captured would require the Minister for Commonwealth Games to seek, under section 6 of the Financial Management Act, from the Minister for Finance an extension of the financial reporting period. Whereas this would enable a fuller, more comprehensive report of costs across all departments, it is something that does require the Minister for Finance to sign off. The Minister for Commonwealth Games yesterday, after discussion with the chairman of M2006, again made it very clear in the house that the chairman and the government are seeking to ensure that full disclosure of the financial arrangements — and I am quoting here from the statement yesterday — concerning the Commonwealth Games and Melbourne 2006 Commonwealth Games Corporation takes place at the earliest possible time.

There is a further form of reporting that will take place, and that is the outcomes report of PAEC. These are all important initiatives of the Bracks government for
transparency and accountability. There will be no lack of scrutiny and no special deals, and every effort will be made to make sure that there is full accountability for all programs and expenses. I oppose the motion.

Hon. P. R. HALL (Gippsland) — I welcome the opportunity this morning to speak, albeit briefly, on the Commonwealth Games, because they are an event about which I share the enthusiasm of my colleague Mr Drum. I share his enthusiasm for the great event that will be coming to Melbourne next year. I know that enthusiasm and that eager anticipation are shared by members of the opposition, and I suspect members of the government as well, and I would think the vast majority of Victorians are certainly looking forward to Melbourne’s 2006 Commonwealth Games. I know it was with great joy last week that I opened my letterbox to find a return from the ballot for tickets and I actually did win a few tickets through the ballot process. I will have the pleasure of attending a night at the swimming finals, which I was most fortunate to receive through the ballot.

I missed out on a couple of other events, including, I might add, the regional basketball at Traralgon, which was a bit of a disappointment. It will make it a bit embarrassing when the local member of Parliament up there is not able to attend basketball events. I know that Mr Drum also applied for tickets to the regional basketball in Bendigo but missed out as well.

Mr Lenders — You should volunteer then.

Hon. P. R. HALL — Yes, maybe I will have to volunteer up at the Traralgon basketball stadium. I will certainly volunteer if that is what is required to get through the door. It is an event that I and the vast majority of Victorians are looking forward to. Throughout the course of this debate people have said that Mr Rich-Phillips is deliberately trying to talk down the games by raising this motion for the consideration of the house. I would say quite to the contrary, that the opposite is true. In terms of this upcoming event, which should be a great event — and I am sure it will be a great event for Melbourne — we in the Liberal Party and The Nationals are keen to make sure that the government gets it right. It is our task as opposition parties in this Parliament to make sure that the government is on the ball and is doing everything right towards making sure it does become the great event it has every potential to be.

The motion moved by the Honourable Gordon Rich-Phillips is expressed in extremely moderate terms. All it does is ask the minister to come in here and explain his actions. Those are the words used. It calls on the Minister for Commonwealth Games to explain his misleading statements in relation to a couple of matters. Normally an opposition general business motion calls on the house to condemn the government or condemn a minister, but here we are just asking the minister to come in and explain some of those terms. I think that is a very, very moderate request indeed.

Mr Lenders interjected.

Hon. P. R. HALL — Whatever people say, I think it is expressed in a very moderate fashion. I want to congratulate Gordon Rich-Phillips on the way he has put his argument this morning. I listened to all of his contribution, and he put forward some very logical arguments that need further explanation from the minister. I would have thought that as a minister of the Crown part of his responsibility would be to be in here to respond to issues like this being raised by members in the house. He can go to a public accounts committee hearing in future and respond to questions there, but only a limited number of members — only 4 of the 44 members of this chamber — are members of the Public Accounts and Estimates Committee, and therefore I think there is an obligation on the minister to come into this chamber and accept his parliamentary responsibility to respond to all members of the Parliament. I think it is appalling that the minister has chosen not to be in here this morning to represent himself.

I want to mention a couple of other things. Given the fact that the Commonwealth Games will take place next year and that 2006 is also an election year, there will be some heightened speculation about the motives of government, and indeed the opposition and other parties, in various actions they might take. Next year we may perhaps see a lot of point scoring between political parties about whether the reason for what the government is doing is that an election is coming around. We have already seen happen things that put in question the motives of the government. For example, it has been mentioned in this debate that the financial reporting date for hospitals has been moved out so that the hospital annual reports for next year will now be presented beyond the election date. That is not a wise decision by the government, because it purely provides the opportunity for people to speculate that the government is just trying to move the date forward post the election to hide any misgivings that might come out from those annual reports.

The same applies to the reporting on the Commonwealth Games. It is speculation, of course, as to its reason for doing this, but I think anybody is right to speculate and suggest that the government is doing it
to hide any embarrassment because of something like overexpenditure on the Commonwealth Games. What many members on the opposition side of this chamber are asking for in our contributions is simply a bit of honesty in this debate. If the budget is blowing out and if there are pressure points in that budget, the government should tell us about it. I mean, we are happy to work together to try to resolve this because we do not want to jeopardise the Commonwealth Games in any regard. The government should be honest about it and tell us about it so that we all understand exactly what the situation is.

I want to make brief comment on the statement that was read by the Minister for Commonwealth Games in the Parliament yesterday — and a lot has already been said about it. What I found really surprising about that statement is the fact that it is untitled and is not on letterhead, as the Honourable Gordon Rich-Phillips has already indicated; it is not signed by either of the purported two authors — the Auditor-General and the Secretary for the Department for Victorian Communities; and it is dated 10 June 2005 — last Friday. It seems surprising that if this statement originated on 10 June 2005 it took until yesterday, 14 June 2005, for it to surface. There were issues in the newspapers prior to yesterday’s question time, yet this statement only appeared for the very first time during question time yesterday, I agree with the comments made by other speakers in this debate that it certainly makes us dubious about the authenticity of a statement like this. It seems to me that it has been cobbled together rather quickly for the purposes of the minister having to respond to questions that might be asked in Parliament yesterday.

I welcome the fact that ultimately the Public Accounts and Estimates Committee may examine this particular matter further, but I repeat my disappointment that the minister is not in here during the course of this debate today to explain his own actions. His sheer absence on this I think shows that he has something to hide. If somebody was having a go at me — and obviously the government thinks that we are having a go at the minister today by moving this motion — and I had nothing to hide I would be in here facing them fair and square and giving them all that I had. But this minister is not. As I said, his absence demonstrates that he has something to hide. It does not reflect well on the minister. I repeat that the Commonwealth Games is an event that I am looking forward to with great enthusiasm. We just hope the government will do it right — and it will do it right if it is honest with the accounts and with all those issues associated with — —

**The DEPUTY PRESIDENT** — Order! The honourable member’s time has expired.

**Mr PULLEN** (Higinbotham) — Thirty years ago conservatives at night-time used to get down on their knees before they went to bed, not to pray but to check under their bed to see if there was a red there. They have moved on from that time now. Mr Rich-Phillips obviously gets down on his knees every night to have a peek to see if there is a Green under the bed, but he privately prays that the games will be a flop. The Nationals also get down on their knees, but they do not know what they are doing down there and generally get back up again. Because your performance really, Mr Drum, had nothing at all to do with the motion — —

**The DEPUTY PRESIDENT** — Order! Mr Pullen will address his remarks through the Chair.

**Mr PULLEN** — This side of the house rejects the motion. I also note that the elected Labor member, now Independent member, for Ballarat Province, Ms Hadden, will contribute to the debate but has not been in here all day. I imagine that she would also get down on her knees of a night-time. I suggest she would check if there was a lion under the bed, because in the old days in the games they used to throw Christians to the lions. We do not have that happening now but on some of her performances in this Parliament recently I think it is a sport that should be reintroduced.

**Honourable members interjecting.**

**Mr PULLEN** — Mr Rich-Phillips has form. In his budget speech of 25 May he had the audacity to viciously attack my colleague Mr Eren in relation to the road toll. He said that if the road toll continued to go up it would be up by 70 per cent by the end of the year. I inform him today that the road toll has fallen. It is down by two as compared with the toll at this time last year. It has fallen, so do not start putting fear around like you are on the Commonwealth Games — —

**The DEPUTY PRESIDENT** — Order! Mr Pullen will address his remarks through the Chair.

**Mr PULLEN** — I am telling him now to not keep putting fear around about the Commonwealth Games. I do not want to be unfair to Mr Rich-Phillips about this, but he should stop that sort of tripe because he has got form on the Commonwealth Games.

In a debate on 18 November on the Department for Victorian Communities report for 2003–04 Mr Rich-Phillips said:
Earlier this week the Minister for Commonwealth Games told the house that the government does not have any exposure arising from the potential relocation of the Boxing Day test away from the MCG due to the ground not being available. I will not continue to quote the rest of the tripe he uttered, but it just so happens that I am a member of the Melbourne Cricket Club and receive the MCC News. It did not want to put Mr Rich-Phillips’s name in its report, but it called him a nervous Nellie. I quote:

‘Don’t get too stressed. We’ve got to go through this again next spring and again after the games’, counselled MCC arenas general manager Tony Ware as nervous Nellies worried that the MCG ‘bomb site’ might not be rebuilt in time for the Boxing Day test.

Tony was referring to the post-grand final laying of the Commonwealth Games track prior to the 2005 Boxing Day test and its subsequent uncovering and associated works in January/February 2006. In combination it’s a big assignment but absolutely within his team’s scope.

From the outset Tony had complete confidence that, while tight, the spring 2004 time frame was achievable. The earthworks, drainage and irrigation were the responsibility of redevelopment contractors Grocon. Another major element of their charter was the installation of pits and conduits for communication cables.

Despite some serious rain delays in November the work was always on schedule and the final rolls of turf were laid 10 days before the test.

I could go on about this for an hour, but I cannot because of the restrictions on time we have here.

The Leader of the Opposition in this place has also put down the Commonwealth Games. On 18 May he asked a question about the partners that will join in on this. It amazes me that the Liberal Party has absolutely no confidence in Ron Walker. I do, and it is hard for me to save them from the absolute mess the Liberal Party is in at the moment.

These Commonwealth Games will be fantastic. As was said by previous speakers, it will be like the grand final, the grand prix and the Spring Racing Carnival all happening at once every day for almost two weeks. I condemn the motion and look forward to contributing to the debate next time we sit.

Hon. B. N. ATKINSON (Koonung) — The Minister for Sport and Recreation was shoehorned into this Parliament in 1999 as Labor abandoned Tayfun Eren. He was given the ministry over the harder working and more competent MPs Ms Carbin and Ms Mikakos. He is a minister who in many ways found in politics a way to extend his celebrity. He relishes the chance to sing from Labor’s hymn sheet and recite slogans but is always a minister of spin, not substance. This is a minister who simply is not across the detail.

Last week Neil Mitchell, one of the commentators on radio station 3AW, raised the issue of Commonwealth Games ticketing. The minister came on and expressed surprise that refunds had not been made available to people who missed out on Commonwealth Games tickets in the ballot. He was also unsure about the use of dollars generated from interest on the monies that were being held. This raises the question: is the minister mischievous or incompetent? Any Minister for Commonwealth Games would have, or at least should have, seen and approved the budget and the ticketing processes. He would have approved the ticket conditions that did not issue refunds to people who missed out on the ballots before August. That was quite a contradiction to the surprise he expressed on 3AW.

The opposition supports the Commonwealth Games. In fact the opposition won the Commonwealth Games for Melbourne when it was in government. Let there be no misunderstanding about our unqualified support for this major sporting event. It was mentioned by the Honourable Gordon Rich-Phillips at the outset, and despite the perverse contribution of Mr Pullen on this occasion, there can be absolutely no doubt about our contribution and support of the Commonwealth Games. What we say is that in the staging and planning of the games there must be proper accountability.

I was surprised at a recent business breakfast in the eastern suburbs convened by the Labor Party where the Treasurer, the Honourable John Brumby, was speaking, that he mentioned that budget costs for the state government would fall after the 2006–07 financial year after the commonwealth games costs were met. Members might appreciate my surprise because I thought that funding would have been completed in the previous financial year, 2005–06, given the Commonwealth Games are being staged in March 2006. Naturally I would expect there would be some tidying up on administration and incidental expenses associated with the Commonwealth Games that might have required the office to continue to be open for a period to close off the event. That may well have taken us into the new financial year, but the clear impression Mr Brumby conveyed to the business breakfast in Lilydale that I attended and personally heard him comment on was that there would be significant Commonwealth Games funding met from the 2006–07 financial year budget. That effectively puts scrutiny of
I am not surprised therefore that the Minister for Commonwealth Games, who has not come into the chamber for any part of this debate, wants to clarify his position on these issues. I am not surprised he is tap-dancing on this issue. The minister tries to fend off questions and suggests the opposition is confused on these matters. It is the minister who is befuddled. The minister has been inconsistent; the minister has provided misleading statements to the house; the minister’s clarifications to the house of the funding in financial years have missed the mark. In fact the minister made an extraordinary statement during the adjournment debate last night when he sought to get Mr Viney to raise with him a Dorothy Dixer — a matter that should have been ruled out by the President because it was seeking advice rather than action by the minister. The Dorothy Dixer was raised in the house during the adjournment debate last night and the minister made a statement, yet even that statement has inconsistencies in it. It was an opportunity for the minister to try to cover his backside yet again on this issue.

The minister has taken an extraordinary step in a bid to compromise the Auditor-General on this particular issue. The statement read to the house during question time yesterday was amazing. It was a document generated last Friday. It was a document generated after the minister realised what he said at the Public Accounts and Estimates Committee hearing earlier that week. While the minister has now had two attempts in this house, at question time yesterday and during the adjournment debate last night, to clarify the position, to set the record straight, in effect to cover his backside after he has made an enormous mistake, to overcome the fact that he did not seek, according to the contribution of the Minister for Finance today, to obtain authorisation for what he has been talking about and conveyed to the house, he still cannot get it right. He has gone a lot further in making those statements than what he has suggested in the media today of trying to argue over a comma.

The minister is tap-dancing because he has no idea what he is doing in this portfolio. He is a minister who is incompetent because he is not across the detail of his portfolio. He has no idea what is happening with the delivery of the Commonwealth Games. That is shown time and again through his public utterances in the press and certainly by the inconsistent and misleading statements he has made to this house. The minister owes this house a better explanation. I was expecting today a ministerial statement to clear up some of the matters raised and the inconsistencies in the information he has put to the house which are clearly wrong.

Ms HADDEN (Ballarat) — I am pleased to be given an opportunity to make a contribution to this important debate. I place on record my gratitude to the Liberal Party and The Nationals for graciously giving me time from their speaking time, which, of course, denies them extra speakers. Unfortunately that is the situation in this place now: I am an Independent member and for the first time in the history of this Parliament — since 1855 — Independent members are not recognised as members in this place. Since the standing orders were changed in February this year only party political members are recognised on the general business program. It is a very sad day. However, nothing will shut me up as government members would wish me to shut up.

It is a sad day when a motion is put before the house asking for accountability and transparency from a minister who deems it not important to be in this place to participate in the debate. I am referring to the Minister for Commonwealth Games. I would have expected and do expect much more from Minister Madden. I thought this Parliament was about being open and transparent in answering questions in an honest and open manner so that the people of Victoria know where their tax dollar is going. No-one I have spoken to, including myself, is not looking forward to the games. I do speak for myself. Everyone is looking forward to the games. We are paying a lot of money for them. They will probably stop a lot of economic activity and business for the two weeks in March next year, but country Victoria is gearing up for it.

We are all having our little celebrations within our communities. We have managed to drag a few thousand dollars from Treasurer Brumby for various townships. It has to be $1 for $1, or $2 for $1 for local councils, but we are all excited about it and gearing up for it. The fact is most people in country Victoria will not be able to afford to travel by public transport to the games. I will give an example. For one of my constituents living in Ararat, an adult fare from Ararat to Melbourne is $33.60 return and a child ticket is $6, so for two adults or two or three children you are looking at between $130 to $140 in train fares alone. That is a lot of money.


Ms HADDEN — As Mr Drum has interjected, those who are lucky enough to live in the city limits will get free travel. Country people get free travel once
they enter the city system, but if they are travelling from Ararat it would cost two adults and two children in the vicinity of $140 in fares. The train timetable is another issue, but I will not waste my time on that at the moment.

It is a terrible shame that the government sees fit not to honour its election promises of what it said it would do when it was elected in 1999 and again in 2002. Its policy *Listens Then Acts — Labor’s Plan for Building a Stronger and Fairer Community in Victoria* talks about having delivered in the first term of the Bracks Labor government from 1999 to 2002 a key election promise of fully restoring the powers and independence of the Auditor-General.

Also it espoused the fact that it had:

- implemented a new financial reporting regime, which gives the community greater financial information via quarterly financial reports and an annual budget update report.

It also said it had:

- provided the Auditor-General with new powers to independently review each budget; and
- introduced new standards in financial honesty, including a requirement for Treasury to release a full pre-election disclosure of the latest financial position.

Leading up to the 2002 election the Bracks Labor government said that one of its major priorities for the future — I assume it meant this term — is to:

Provide responsible financial management of net debt and liabilities —

and:

- provide new standards in open and accountable government and increase the focus on the triple bottom line — to balance social, environmental and economic objectives.

They are very fine statements, but you have to put them into practice. I do not understand, and I am a pretty simple person, why the Bracks Labor government cannot put into practice what it puts in its policy documents about being open and accountable. It talks about integrity in public office, and in its other policy on democracy and accountability, called ‘Labor’s plan for integrity in public office’, it says:

The Bracks government is serious about integrity in government. In our first term we have taken many steps to make government more accountable … Labor has made Victoria a leader in open and accountable government.

It said it would:

- provide additional constitutional protection to the Director of Public Prosecutions, Auditor-General, Ombudsman and electoral commissioner.

It talked about strengthening the Victorian constitution and legislating to give additional constitutional protection to the Auditor-General, which the government has done.

It said it would:

… continue the Bracks government’s commitment to enhancing democracy in Victoria.

These are all laudable statements, but they are not worth a pinch of salt if they are not put into practice. Honestly, the people of country Victoria have had a gutful. This government is all about spin and rhetoric, but when it comes to putting into practice what it preaches it seems to have a lapse of memory.

I went back through *Hansard* and the government’s media releases, some of which are probably no longer on the web site — which happens when the government does not want to be too accountable — but the Audit (Amendment) Bill, one of the first bills introduced by the Bracks Labor government on 11 November 1999, was to shore up the independence and effectiveness of the Auditor-General. It was not about nobbling him at all. It spoke about the importance of the Auditor-General as the hallmark of our democratic institution.

**Mr Viney** interjected.

**Ms HADDEN** — I take up the interjection, you did do it. I did it too, because I was part of the government then. It is very important to have the Auditor-General strengthened and to give him the power to audit the accounts of the government of the day, but it is no good giving him those powers when his hands are tied behind his back. On 1 May 2003 the Minister for Finance issued a press release under the heading ‘Bracks government boosts Auditor-General’s role’ that said the bill strengthened his role under amendments to the audit and financial management acts to increase openness and accountability. Those words keep coming through — openness, accountability, integrity, democracy.

The press release says that the bill further restores ‘democracy and enhances transparency in the public sector by expanding the role of the Auditor-General and improving the Auditor-General’s operating framework’. It says:
The Bracks government demonstrated its commitment to being open and accountable by restoring the powers and independence of the Auditor-General.

Now we have a situation where the government seems to have a selective memory. The Auditor-General is, as he should be, a very powerful watchdog of the government on how it spends taxpayers money, because that is what this is about, and that is why the government must be accountable. It must be open and transparent, and it must be democratic. If it is none of those things, whether it be in fact or perception, then what does the Bracks Labor government have to hide in relation to the budget of the Commonwealth Games 2006?

What we do know is that the budget has doubled. In March 2003 the government said the total state spending on the games would be in the vicinity of $350 million. It has doubled to nearly $700 million, and the latest suggestion is that it will now be in the vicinity of —

 Honourable members interjecting.

Ms HADDEN — Deputy President, I would ask that members interjecting do so from their place.

The DEPUTY PRESIDENT — Order! Members on my left and opposition members who were crowding out Ms Hadden!

Ms HADDEN — I do not want to yell and deafen the ears of Hansard or Mr Hall. I welcome into the chamber the Minister for Commonwealth Games. It is good to see him here. I hope he will contribute to the debate and say why he does not want to tell us how much the games will cost, why he does not want to make sure the accounting is within the proper financial period and why the people of Victoria will have to wait until 2007 before they find out.

Something alarmed me very much in Mr Viney’s contribution to the debate. He said that in the current financial year of 2005–06, when the games will be occurring, it will be too difficult to be reporting. He said that not all the expenditure will be completed by 30 June 2006, so later financial year reporting would be beneficial. He went on to say that sponsors may want to spread their costs over two financial years. Here we have another revelation, and perhaps the minister can respond to my concerns. I notice he is leaving the chamber. He can read Hansard. Does it mean that the accounting for the expenditure by the Bracks Labor government of taxpayers money will not occur until 2008 — that is, if it is still in government?

It is a serious issue, because the government is spending a lot of our money and not everyone in country Victoria will be able to afford to attend. The Auditor-General should be able to have the books audited by the end of the financial year, and any request of him by the government is unforgivable. I equate that with an attempt to nobble the Auditor-General. It is quite clearly an attempt to nobble him. It is unforgivable. Explanations by the Minister for Commonwealth Games in this chamber and before the Public Accounts and Estimates Committee are not good enough. It is not open and transparent, and he has not been honest in his answers. For goodness sake, all that is required is that the accounts be put in by 30 June next year. The government will have had three months to put its accounts together for the Auditor-General. There is plenty of time. No-one else gets that time from the tax office. The government must tell us how much it is spending, how much it has spent and how much has been spent on consultants. That is not difficult.

There are a lot of other issues, but I am running out of time. The minister says basically that everyone is arguing over a comma. It is not a comma, it is probably close to $1.4 billion of taxpayers money that is being spent. It is a bit more than a comma. I find that comment by the minister totally inappropriate. It is a slur on his position as a minister of the Crown. The government needs to up its game. It needs to put into practice what it says on its web site and its policies — be accountable, honest, open, transparent and democratic. I am not confident it has the capacity to do that, and many of my constituents are of the same view.

A constituent referred this phrase to me:

I have traded my resistance for a pocket full of mumbles
Such are promises,
All lies and jest,
Still a man hears what he wants to hear,
And disregards the rest.

It is taken from The Boxer by Simon and Garfunkel. This has been used to describe the Premier. He only hears what he wants to hear and disregards the rest. This state requires the government be open, honest and transparent. I support the motion. If government members had any intestinal fortitude they would support it as well.

Hon. RICHARD DALLA-RIVA (East Yarra) — I have pleasure making a contribution on the motion. Having listened to most of the debate today, can I say that I am appalled that this government has not seen fit to support the motion. Let us put it in context: this is a motion calling for the affirming of support of the Commonwealth Games. In the next 10 minutes or so
this government is going to sit in here and actually vote against supporting the Commonwealth Games. That is the underlying principle, despite all the rhetoric and what it wishes to say. It is going to vote against this motion because it simply wants to hide some of its dodgy dealings that continue to smell. This government has a significant history of dodgy dealings and of driving down investment and destroying the state. This motion calls on the government to honour its commitment to provide open, honest and accountable government. Do members remember the words ‘open, honest and accountable’? The government went to two elections with them.

We now find that the government wants to cover up its dodgy dealings. What it wishes to do is in effect provide a report after the 2006 state election. I reflect on this because every time we start to talk about accountability, this government drags out the thugs — whom I notice on the other side — who sit there, scream, beat their hairy chests and then sit down and go away. Those hairy-chested thugs on the other side are away now. They covered up for the fact that this has a smell like the Victorian Economic Development Corporation. Do members remember the VEDC and the report that came out two weeks after an election? The government is a grubby bunch of hypocrites who cannot deal with the fact — —

The DEPUTY PRESIDENT — Order! The member’s time has expired.

Hon. J. M. MADDEN (Minister for Commonwealth Games) — I welcome this opportunity. I have been sitting in my office listening to much of this debate. I have been working away. I have been meeting with the people I need to meet with to get on with delivering the Commonwealth Games. Whether it be people within the department or people from community groups, I am out there meeting with them to deliver. In listening to this debate I can understand why sometimes the public is cynical about politicians. I can understand why sometimes the public is even more cynical about the upper house. When you listen to the content that comes of the mouths of some of the members of the opposition, you can understand the scepticism and the cynicism of the general public.

Some of the comments have been an absolute disgrace, because what the opposition does not get — and it does not get a lot of things — are two things in particular. The more we talk about it, the more it is shown that the opposition just does not get it. The first one of those is about transparency. The more we talk about transparency in reporting and the methodology of that reporting to ensure that we get full coverage and transparency of expenditure, the less the opposition seems to understand. I can understand why the opposition does not understand. It is because it does not understand transparency in the first place. The more you talk about transparency, the more the opposition shows that it fails to understand what transparency is all about.

There are two reports in relation to the Commonwealth Games. I have made that abundantly clear, whether it has been through the Public Accounts and Estimates Committee by continually answering questions about all elements of the Commonwealth Games or whether it has been through statements made in this chamber.

I am happy to continue to make those statements, particularly in relation to financial reporting and its transparency, but unfortunately for a start the opposition did not understand that there were two reports and it does not seem to understand that the special purpose report is a way of consolidating all the spending across government in respect of the games.

We do not have to do this special purpose report, but we are doing it to capture all the costs so that everybody — the opposition, the government, the general public — will know exactly where all those costs are. We are open, transparent and committed to that.

The other thing opposition members seem to struggle with besides their confusion — they also struggle with their own legitimacy in opposition — is that they fail to understand that eventually they are going to have to come around and support the Commonwealth Games. They do not seem to get it. They are giving tacit support. It is all right to write the words, but my background — and I hope the backgrounds of all opposition members — is to judge them not by their words but by what they do. At the moment we do not see the opposition doing a lot to support the Commonwealth Games. Words are just rhetoric and they create scepticism in the community. You have to deliver on those words. I am telling members of the opposition that if they are really supportive of the games they should get behind the games, get behind the community, advocate on behalf of the community and get involved.

I reinforce the fact that I know they will eventually come around, want to be involved, be at the events and be there with their local communities. But at the moment they are just not that enthusiastic. I am sure that when the games are delivered and they are an absolute success they will be the first to stand up and say, ‘Were we not the ones who got the games in the first place?’ They will be jumping up and down claiming credit for acquiring the games in the first
place — and deservedly so because they did acquire the games in the first place. But in between acquiring the games and delivering them there needs to be a lot more work, and at the moment I do not see a lot of work coming from the opposition in relation to the games.

They are happy to be bogged down in petty criticism on any issues related to the games. We are the ones who are delivering into regional Victoria. We are the ones who are delivering events around Victoria. We are implementing the games and delivering for the whole community. It is not our games; it is not the opposition’s games; it is not the federal government’s games; it is the community’s games. The community is getting behind them. Opposition members will eventually get behind them — I am sure they will — but at the moment they just do not get it. I know the federal government is eager to get behind the games and is supportive. I know the Prime Minister will be supportive and that any tensions there will no doubt be ironed out in the future. It is only a matter of time before members of the opposition come around to getting on board and supporting the games, rather than continuing their petty cynicism and criticism. I say to opposition members, ‘Do not wait. Do not hold back. Get on board the Commonwealth Games now’.

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — In response to the minister’s claim that the opposition is being petty, I say — —

Hon. J. H. Eren interjected.

The DEPUTY PRESIDENT — Order! Mr Eren.

Hon. G. K. RICH-PHILLIPS — Since when has concern over accountability for the expenditure of public money been petty?

Hon. R. G. Mitchell interjected.

The DEPUTY PRESIDENT — Order! Mr Mitchell.

Hon. G. K. RICH-PHILLIPS — It is clear that the opposition supports the Commonwealth Games and the motion before the house indicates that. The Liberal Party has been a long-time supporter of the Commonwealth Games, but that does not mean that it will not hold this government to account. I draw the minister’s attention to the fact that when the Labor Party was in opposition, Mr John Pandazopoulos, who is currently Minister for Tourism in the other place but was then its spokesman for sport, criticised in Parliament the previous government’s expenditure on the Commonwealth Games bid, so the government should not run that hypocritical line in here.

This motion is before Parliament today because the Minister for Commonwealth Games is completely at odds with the Auditor-General by virtue of his public statements last week. The minister is completely at odds with the comments of the Minister for Finance yesterday. The minister likes to say that he is open, accountable and transparent.

An honourable member — He is.

Hon. G. K. RICH-PHILLIPS — As Ms Hadden said in her contribution, the government has selective memory. The minister failed, until the last 5 minutes of this debate, to present in the house for this very important issue. When the minister did come in he said, ‘I was too busy. I was working in my office’.

Hon. B. N. Atkinson interjected.

Hon. G. K. RICH-PHILLIPS — The first point I make to the minister, through the Deputy President, is that accountability to this Parliament is more important than any meeting the minister was having in his office. I take up the interjection from Mr Atkinson who said that the minister was in the cafeteria while this debate was taking place. Even the minister’s claim about doing something more important is dubious.

The minister did not do the house the courtesy of being here for the debate or of responding in a meaningful manner to this contribution. He left the government’s response to Mr Viney and Ms Romanes. Mr Viney and Ms Romanes made two points in their contributions. They spoke about the Kennett government’s performance before the Public Accounts and Estimates Committee when it was in government and they spoke about the commonwealth government’s contribution to the Commonwealth Games and issues with the baton relay. Neither Ms Romanes nor Mr Viney addressed the substance of this issue, which concerns the statements made by the Minister for Commonwealth Games about the Auditor-General and about the role of the Minister for Finance, both of which have not been addressed by the government today in response to this motion. Those matters were not addressed by the Minister for Commonwealth Games in his 4 minutes of diatribe at the end of a 3-hour debate.

This motion before the house provided the government and the minister with an opportunity to clarify the record. The minister is reported in the *Age* this morning as claiming he had been misquoted or misrepresented, yet when he came into this house he did not even touch on that issue. The line from the government on this issue changes by the day. No doubt after question time today we will have something different. This motion provided the government and the Minister for
Commonwealth Games with an opportunity to set the record straight. I urge the government to take up that opportunity and support this motion.

**House divided on motion:**

**Ayes, 19**

Atkinson, Mr  
Baxter, Mr  
Bishop, Mr  
Brideson, Mr  
Coote, Mrs  
Dalla-Riva, Mr  
Davis, Mr D. McL.  
Davis, Mr P. R.  
Drum, Mr  
Forwood, Mr  
Hadden, Ms  
Hall, Mr  
Koch, Mr *(Teller)*  
Lovell, Ms *(Teller)*  
Olexander, Mr  
Rich-Phillips, Mr  
Stoney, Mr  
Strong, Mr  
Vogels, Mr

**Noes, 22**

Argondizzo, Ms  
Broad, Ms  
Buckingham, Ms  
Carbines, Ms  
Darveniza, Ms  
Eren, Mr  
Hilton, Mr  
Hirsh, Ms  
Jennings, Mr  
Lenders, Mr  
McQuilten, Mr *(Teller)*  
Madden, Mr  
Mikakos, Ms *(Teller)*  
Mitchell, Mr  
Nguyen, Mr  
Pullen, Mr  
Romanes, Ms  
Scheffer, Mr  
Smith, Mr  
Somyurek, Mr  
Theophanous, Mr  
Viney, Mr

Motion negatived.

Sitting suspended 1.00 p.m. until 2.02 p.m.

**QUESTIONS WITHOUT NOTICE**

**Commonwealth Games: financial reporting**

**Hon. PHILIP DAVIS** (Gippsland) — I direct my question without notice to the Minister for Commonwealth Games. In today’s *Age* the minister claims that his comments about the Auditor-General were misinterpreted. If this is true, why did he not simply correct the record last Thursday when the media first asked about the issue?

**Hon. J. M. MADDEN** (Minister for Commonwealth Games) — I welcome the member’s question because again I do not think he has listened to the debate or read *Hansard*. I suggest that Mr Davis did not get the point in relation to the debate this morning. He did not listen to my comments; he has not read them and he has not considered them. It shows again that Mr Davis has failed to get all the things we have talked about and all the things I have put on the record. His pettiness here today shows that he has failed to appreciate what the Commonwealth Games are all about.

**Supplementary question**

**Hon. PHILIP DAVIS** (Gippsland) — In relation to the minister’s pathetic response, is it not the case that the Bracks government’s media unit told the minister to use the misinterpreted line last night?

**Hon. J. M. MADDEN** (Minister for Commonwealth Games) — I welcome the member’s question because again I do not think he has listened to the debate or read *Hansard*. I suggest that Mr Davis did not get the point in relation to the debate this morning. He did not listen to my comments; he has not read them and he has not considered them. It shows again that Mr Davis has failed to get all the things we have talked about and all the things I have put on the record. His pettiness here today shows that he has failed to appreciate what the Commonwealth Games are all about.

**Commonwealth Games: community participation**

**Ms ARGONDIZZO** (Templestowe) — My question is for the Minister for Commonwealth Games. I ask the minister to advise the house what the Bracks government is doing to ensure that Victorian families have access to and are involved in the Melbourne 2006 Commonwealth Games.

**Hon. J. M. MADDEN** (Minister for Commonwealth Games) — We have always said that the Commonwealth Games are about affordability and accessibility. They have been the two key policy principles in delivering for the Commonwealth Games. In particular we have seen a number of inbuilt benefits or policy issues that will affect and enhance the livability of Victoria, particularly for families. The first of those, as I have mentioned on a number of occasions, is that this is the first time in the modern era we have had an international, multi-sport event for which we have produced a family ticket. One of the great things about that is that the endorsement from the community by people wanting to take up that opportunity has been fantastic. Remembering that there was some concern about those tickets and how they were formatted, it still meant that the tickets would allow families with one or two adults and up to five children between 2 and 12 years of age to purchase tickets at a 25 per cent discount. The success of the ballot was proof that Victorian families endorsed that ticketing regime. One of the great things about that is that the endorsement from the community by people wanting to take up that opportunity has been fantastic. Remembering that there was some concern about those tickets and how they were formatted, it still meant that the tickets would allow families with one or two adults and up to five children between 2 and 12 years of age to purchase tickets at a 25 per cent discount. The success of the ballot was proof that Victorian families endorsed that ticketing regime.

We have also given families the opportunity to attend the events. The games have been scheduled across the school holidays; the school holiday period has been shifted in order to enable families to attend the event.
Also, attached to tickets is the entitlement to free public transport on the Metlink system. That gives families a tremendous opportunity to come into the city, get off at Flinders Street, go through Birrarung Marr, enjoy all the cultural festivities and activities that will take place throughout games time, go across the Yarra pedestrian precinct bridge, which is currently being built, to the Melbourne Cricket Ground or go to the Telstra Arena or the Rod Laver Arena during the games time. We will see families involved and able to have a fantastic experience — a whole day of activity for a fairly reasonable price. Families will get a fantastic benefit out of these games. As well, we have the education program, where we are building a deeper appreciation of other cultures dovetailing in with a greater appreciation of local communities.

We are also encouraging healthy eating and physical activity. In particular we are focusing on the Warming Up for the Games Day on 20 November. I note that we will then see a number of representatives from this chamber engaging in physical activity, some for the first time. We have seen some of the Commonwealth Games Getting Involved grants distributed, with $20 000 going to Mount Alexander shire and $110 000 to the City of Greater Shepparton. The $4.5 million grant program is really a great opportunity for communities and families to get involved. This is a fantastic theme for the games — making them family friendly. The only element which is not is that because people have been so supportive there will be a few who in the process have no doubt been disappointed at not getting their ticket allocations even though they entered the ballot.

We know this is a fantastic result for Victorian families. We know that the games will be great for Victoria, in particular for Victorian families. This confirms our commitment to not only making the games affordable and accessible but to making Victoria a better place to live for families.

**Commonwealth Games: financial reporting**

**Hon. G. K. RICH-PHILLIPS** (Eumemmerring) — My question is to the Minister for Commonwealth Games. How does the statement released to the house yesterday relate to the government’s desire to change the Melbourne 2006 Commonwealth Games Corporation balance date?

**Hon. J. M. MADDEN** (Minister for Commonwealth Games) — I do not think opposition members really understood what I was saying today. They are bogged down in pettiness, whether it be pettiness about their own party or pettiness about what is taking place in and around the community. The big picture here is about delivering a games for all of Victoria, about a community games.

**Hon. Philip Davis** — It’s about your accountability, it’s about you misleading — —

**Hon. J. M. MADDEN** — Mr Davis can yell as loud as he wants, he can be the bully — —

*Honourable members interjecting.*

**The PRESIDENT** — Order! The minister to continue.

**Hon. J. M. MADDEN** — You can be the bully you have always been, Mr Davis. You can shout louder and louder and louder, but all it does is reinforce the cynicism and the scepticism the public of Victoria have about politicians like you. Because you are bogged down in the pettiness — —

*The PRESIDENT* — Order! Through the Chair, Minister!

*Honourable members interjecting.*

**The PRESIDENT** — Order! Enough! There have been enough interjections from both sides. I ask the minister to direct his response through the Chair.

**Hon. J. M. MADDEN** — The opposition has had plenty of opportunity to discuss this proposition. I have presented it in front of this house on a number of occasions. What members of the opposition fail to understand is that their pettiness just reinforces scepticism and cynicism in the community in relation to this chamber and reveals their lack of vision in relation to the Commonwealth Games.

*Supplementary question*

**Hon. G. K. RICH-PHILLIPS** (Eumemmerring) — The minister’s failure to answer the question will not read well in [Hansard](https://www.hansard.assembly.vic.gov.au), and it will not read well in the *Age* tomorrow. Is not the statement that the minister released in the house yesterday completely irrelevant to the matters he raised at the estimates hearing last week regarding the M2006 Commonwealth Games Corporation balance date?

**Hon. J. M. MADDEN** (Minister for Commonwealth Games) — I cannot quite understand why the opposition has such a problem with transparency. The more we talk about transparency, the more question marks sit above the heads of the members opposite, because they do not understand it. They did not when they were in government and they
do not now that we are in government. They do not understand transparency and they do not understand what the word ‘community’ means. They just continue to show their ignorance and pettiness, displayed by their continual questions on the same issue which bear no relevance to the outcome of the Commonwealth Games.

Gas: Gippsland Basin

Mr PULLEN (Higinbotham) — My question is to the Minister for Energy Industries and Resources. Will the minister advise the house of any recent developments in the oil and gas industry in Victoria and how they will benefit Victorian families?

Hon. T. C. THEOPHANOUS (Minister for Energy Industries and Resources) — I thank the member for his question. There continues to be good news in the resources portfolio — jobs in Victoria, investment in Victoria and votes of confidence in Victoria by small and large companies alike. Today I want to talk about the announcement made by Santos Ltd and ExxonMobil in relation to the Kipper field in Victoria. The companies involved have announced today that they have teamed up to go ahead with another massive gas field, this time in the Gippsland Basin. The Kipper field contains 620 billion cubic feet of gas and 30 million barrels of condensate and liquefied petroleum gas. It is a massive field in anyone’s language, with only the Woodside field in the Otways being larger. For the benefit of members, the Woodside field is about 900 billion cubic feet; it is bigger than the Minerva project in the Otways, which is only 300 billion cubic feet.

This is a massive new development — 620 billion cubic feet of gas. It is a vote of confidence in Victoria. During this government’s time in office we have seen $1.65 billion in investment just in the Otway Basin in relation to delivering on the Minerva field, on Woodside’s Geographe-Thylacine project and on Santos’s Casino project. This adds another leg to the Gippsland Basin —

Honourable members interjecting.

Hon. T. C. THEOPHANOUS — Members opposite might not care about these jobs. They might not care about the gas —

Hon. Philip Davis — You made no contribution to this, Minister.

Hon. T. C. THEOPHANOUS — I know Mr Davis does not care about these things. I know he does not care that there are jobs. I know the opposition does not want to hear good news about Victoria — that is the bottom line. The fact of the matter is that under this government we have had $1.65 billion in investment in the Otways, not under the previous government but under this government. It has come about as a result of a strategy put in place by this government which involves providing the appropriate data for these companies to do their research, providing an investment environment for them to go ahead and providing the infrastructure through a range of infrastructure projects including a number of gas pipelines that have been built in this state. It is a phenomenal achievement for us to be talking now not about availability of gas in Victoria for the next 10 years, but about gas being available in Victoria for the next 50 years. This is as a result of the efforts of this government in bringing about this investment in Victoria for the future of our children.

Alpine National Park: media campaign

Hon. W. R. BAXTER (North Eastern) — I direct a question without notice to the Minister for Consumer Affairs. I refer the minister to her frequent advice to the house of action taken against suppliers who employ dodgy practices to deceive consumers. In the interests of consistency, does the minister propose to prosecute Parks Victoria for the doctored photographs appearing in metropolitan newspapers on 25 May in relation to alpine grazing?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I would have expected better from the Honourable Bill Baxter. This is a rewrite of a question asked by a member of the Liberal Party a couple of weeks ago. It is unfortunate that Mr Baxter should fall for this ruse. In relation to this matter, I refer the member to my response to the very same question and suggest he read Hansard.

Supplementary question

Hon. W. R. BAXTER (North Eastern) — In light of that response, I ask the minister as a supplementary: why does one rule apply to private enterprise and another to public authorities when it comes to telling the truth?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I have responsibility for the Fair Trading Act as one of the pieces of legislation under my jurisdiction. I deal with matters under my ministerial responsibility with great seriousness. The fact that this is often trivialised in this house by members opposite just shows the contempt in which they hold consumers and the very serious issues they face.
**Consumer affairs: credit**

Mr SOMYUREK (Eumemmerring) — My question relates to affordable credit for Victorian families, and I therefore direct it to the Minister for Consumer Affairs, the Honourable Marsha Thomson. The minister has previously informed the house of the government’s initiatives to improve the access of Victorian families to affordable credit. Can the minister advise the house how these actions are progressing and how this will make Victoria a better place to raise a family?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I welcome the member’s question. I know this is an issue of concern to him and his constituents. It is a very important issue for all Victorians. The Bracks government’s social policy statement *A Fairer Victoria* includes a commitment from the government to look at the issue of credit and access to affordable credit for Victorians, particularly the most vulnerable Victorian citizens.

It is true to say — and the records are showing it — that we have an increasing amount of credit options and credit debt in the community in Australia more generally, and that is certainly the case in relation to Victoria. I would be the last person to say that access and utilisation of credit is intrinsically bad. It is not. You can use it very well if you know what you are dealing with and you have the capacity to repay. Unfortunately there are those in the community who get themselves into worse debt by obtaining credit at a level they cannot afford to repay. There are real issues about the ways people access credit and some of the credit that is out there for Victorians to access.

An example is that the Cash Converters stores around Melbourne offer short-term cash advance loans of between $100 and $1000 to consumers for periods of less than a month. They charge a $35 fee for every $100 borrowed, which is the equivalent of a 35 per cent per month interest rate. This might be a reasonable amount that Cash Converters is charging. They are certainly not the only credit providers lending in this range and there are people out there who are charging far greater fees. However, the issue is whether all consumers are aware of what they are being required to pay and whether they can afford to pay it. These are really serious issues. There are issues around whether there are cheaper and better ways these people can obtain credit.

The review we are undertaking, which is a most comprehensive review and which is looking not only at a legislative regime but at other factors to encourage better lending practices and, more importantly, better awareness among other things, is being led by James Merlino, the member for Monbulk in the other place — and a very good member he is. We have developed an issues paper, which I released today to the community. The issues paper sets out key questions around credit and also, most importantly, raises the issue of access to microfinance. There are some great examples out there in the community with the Brotherhood of St Laurence and Good Shepherd Youth and Family Services in partnership with Bendigo Bank and National Australia Bank respectively providing microfinance access to the most vulnerable in our community.

We need to look at ways in which we can develop an environment to give access to those kinds of financial credit providers. The Bracks government is committed to ensuring that we provide the best possible credit regime, that we look at all aspects of credit and that Victoria is a great place to raise a family because families can afford the credit that they get themselves into.

**Commonwealth Games: financial reporting**

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — My question is again to the Minister for Commonwealth Games. Yesterday the minister released a statement to the house purporting to be from the Auditor-General and Yehudi Blacher, the Secretary of the Department for Victorian Communities. At whose request was that statement drafted and when was it requested?

Hon. J. M. MADDEN (Minister for Commonwealth Games) — Thank you very much to Mr Rich-Phillips for asking the question, because I am very pleased that we had that communication to present to the house.

Honourable members interjecting.

Hon. J. M. MADDEN — I think it reinforces the transparency that this government is committed to. Whilst the opposition can promote paranoia and can promote conspiracy theories, at the end of the day we have nothing to hide in relation to the Commonwealth Games. This is about transparency, and whilst the opposition is sceptical about our transparency, we are committed to it. The Auditor-General has endorsed that with the Secretary of the Department for Victorian Communities by releasing that communication, even though the opposition wants to promote scepticism and paranoia in the media about this issue.

I will say it time and again: I have said it in opposition business today, I have said it during questions without
notice, I have said it in the adjournment debate — do I have to telegraph it to them or something? Can I just say we are committed to transparency in relation to all accounting processes of the games, and the Auditor-General endorses that, so what is the problem? The opposition can be as petty as it likes about this, but at the end of the day we will deliver the games, and I am very confident they will be spectacular. The opposition will want to jump on board and claim some credit for acquiring the games. We will have delivered on them, we will have reported on them. There will be no criticism; everyone will be behind them, and the opposition will want to jump on board. At the moment all the opposition is trying to do is to continue this pettiness, which shows that it has a lack of vision not only for itself and not only in relation to its party but generally across everything to do with the community.

Supplementary question

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — Did any person in the minister’s office or the office of the Premier or the government media unit play any role in reviewing, vetting or approving drafts of that statement?

Hon. J. M. MADDEN (Minister for Commonwealth Games) — I can understand the opposition’s conspiracy theories and I can understand its paranoia; everyone when the opposition was in government it wanted not only to tamper with the Auditor-General, it wanted to eradic him, it wanted to nobble him. Here we are, working with the Auditor-General, committed to transparency — —

Hon. Philip Davis — On a point of order, President, the question directed to the minister was quite specific about his responsibilities in relation to providing information to the house. It is not in order for him to respond to the member’s question by talking about matters relating to a former government. It is relevant only to address the question before the Chair. It is clearly within his gift to respond to the question as he will, but it is not appropriate for him to talk about previous governments.

The PRESIDENT — Order! The minister in responding to the question made reference to how the Auditor-General was treated previously and then he referred to how this government now deals with the Auditor-General. I ask the minister to keep his comments along those lines.

Hon. J. M. MADDEN — We know the opposition has selective memory loss when it comes to the Auditor-General, but let me just say this: this was a statement released by the Auditor-General — —

Honourable members interjecting.

Hon. J. M. MADDEN — This was a statement released by the Auditor-General and the Department for Victorian Communities in relation to this issue.

Honourable members interjecting.

Hon. J. M. MADDEN — It has been released by both of them and presented to us. I do not know what the opposition’s problem is in relation to this, but obviously it does not understand that we are committed to transparency in relation to every issue regarding the Commonwealth Games.

Housing: homelessness

Hon. KAYE DARVENIZA (Melbourne West) — My question is for the Minister for Housing, Ms Broad. Can the minister tell the house how the Bracks government is supporting homeless Victorian families and what the government’s response is to the latest commonwealth funding offer for services for the homeless?

Ms BROAD (Minister for Housing) — I thank the member for her question on this very important matter of helping homeless families and the emergency support agencies that work tirelessly on their behalf. The commonwealth and state-funded supported accommodation assistance program (SAAP) is the principal funding mechanism that supports Victoria’s response to homelessness, and the current five-year agreement expires in just two weeks time, on 30 June. Under this agreement the commonwealth government provides approximately 60 per cent of the funding and Victoria provides 40 per cent to the maximum allowed under the agreement. However, over and above the agreement, in 2004–05 Victoria is providing an additional $14.5 million in ongoing state funding for core SAAP services. That means Victoria is currently in fact providing around 51 per cent of the funding for core SAAP services.

However, the commonwealth has doggedly refused to recognise this fact because of the limits to commonwealth funding in this area. The commonwealth made an initial offer for a new five-year agreement in December, and that offer would have seen huge reductions in commonwealth funding for core SAAP services for homeless people in Victoria — cuts of more than $30 million. That offer was clearly unacceptable and was rejected by Victoria and all other state and territory governments.
At the stroke of midnight the commonwealth finally made its much-awaited revised offer — on 1 June. This last-minute offer continues the commonwealth government’s insistence on cutting funding to SAAP services for homeless people in Victoria. In fact, it proposes a reduction of some $14 million over the life of the agreement. This is an outrageous manoeuvre from the commonwealth government and a real slap in the face to the people out there working night after night side by side with homeless people — people in agencies like the Salvation Army, St Vincent de Paul, Melbourne CityMission and many others right across Victoria.

In the interests of maintaining vital services to our most vulnerable Victorians, the Bracks government has reluctantly decided to accept the 1 June offer by the commonwealth government and to further increase Victorian government funding to homeless people in Victoria by $14 million to make up for commonwealth cuts. Victoria will respond to commonwealth cuts in funds for homeless people in Victoria by further increasing state funding to make up for those commonwealth cuts. The commonwealth government proposes to use the money it is cutting from funds for Victorian homeless people for a national fund, and the emergency support agencies I have spoken about are fearful it will be used for just more pilots and more projects and studies rather than for ongoing funding for homeless people who desperately need it.

These callous commonwealth cuts will have a direct impact on the most disadvantaged and vulnerable people in Victoria. In contrast, the Bracks government will continue its support for homeless families and support workers, even if the commonwealth government is determined to go through with these cuts — and, sadly, it seems it is.

Commonwealth Games: financial reporting

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — My question is again to the Minister for Commonwealth Games. In view of the minister’s previous answers this afternoon, will the minister agree to appear before the Public Accounts and Estimates Committee again later this month with Mr Blacher to clarify his comments of last week and the statement released yesterday?

Hon. J. M. MADDEN (Minister for Commonwealth Games) — Is it not interesting that the opposition has this paranoia about me, too. I do not know what you think — —

Honourable members interjecting.

Hon. J. M. MADDEN — Let me just say, President, that the opposition again displays its pettiness in every matter in relation to this. Can I just say too that this government has a record second to none in relation to not only public accounts and estimates hearings, because every minister appears before the Public Accounts and Estimates Committee — and before Bill Forwood.

Hon. Bill Forwood — So what! And we get four questions. Limited, absolutely limited.

Hon. J. M. MADDEN — Great, Bill, because you would know, Bill, that in your time as chair of the Public Accounts and Estimates Committee — —

Honourable members interjecting.

The PRESIDENT — Order!

Hon. J. M. MADDEN — You would know, Bill, you would know — —

Honourable members interjecting.

The PRESIDENT — Order! The minister should know that he should not be provoked by interjections. I ask members on both sides to desist from interjecting and from responding to comments made. I ask the minister to continue with his answer.

Hon. J. M. MADDEN — Thank you very much, President. Can I just say that our government has a record second to none when it comes to public accounts and estimates hearings.

Hon. Bill Forwood — Wrong. No! Wrong.

Hon. J. M. MADDEN — Can I just reinforce that, even though Mr Forwood is interjecting: Mr Forwood would know that, because of his role over many years in the Public Accounts and Estimates Committee.

Hon. Bill Forwood — I know a lot more about it than you.

Hon. J. M. MADDEN — He can yell as loudly as he likes, he can yell even more loudly than the opposition leader in this chamber, but the fact remains that this government has a record second to none when it comes to public accounts and estimates hearings. The Premier appears and each minister appears, and we will
continue to appear before the Public Accounts and Estimates Committee as required, when required, and to be more transparent than any other government before us. That is so much the case that I know even the Minister for Finance has commented in this place that the media suggests sometimes we are even too transparent.

Members of the opposition are hypocritical in every sense when it comes to accountability and transparency. Not only that, they fail to appreciate that their pettiness continues to advocate to the public how petty they are. Not only that, it reinforces scepticism and cynicism among members of the public in relation to the opposition and to parliamentarians who represent their communities and fail to do it appropriately.

Mr Viney — On a point of order, President, my understanding of the rules here is that an invitation to a minister to appear before the Public Accounts and Estimates Committee is an invitation from the committee, not from any particular member of that committee. Therefore, whilst I understand that the minister answered it, I believe the question was in fact not in order, and I would ask that no supplementary question be allowed in relation to that question.

Hon. Philip Davis — Further on the point of order, President, I think the point of order is absolutely frivolous. It is a matter for a member of this house to put any question relevant to the administration of the minister’s portfolio and parliamentary accountability, which is what the member did. It is up to the minister to dispose of the question as he will.

Hon. T. C. Theophanous — Further on the point of order, President, I draw your attention to rule R1.02(j) in relation to hypothetical matters. I put it to you, President, that the question that was asked by the honourable member is hypothetical in this sense: the member does not have the power on his own to ask or to request a minister to go before the public accounts committee. Only the public accounts committee has that power, and it does so by a majority vote of the public accounts committee.

The PRESIDENT — Order! The minister should not debate the point of order.

Hon. T. C. Theophanous — What I am putting to you, President, is that therefore the question that was asked by the member was hypothetical. It was hypothetical in the sense that whether or not the committee would issue such an invitation is hypothetical, and as a hypothetical question the minister was not required to answer it.

The PRESIDENT — Order! On the point of order originally raised by Mr Viney and the comments made by the Leader of the Opposition and the minister about whether it was hypothetical under rule R1.02(j), I do not believe it was hypothetical. There was a question; this is the time for questions without notice; a question was asked by the member of the minister; and the minister has responded; so I do not uphold the point of order.

Supplementary question

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — The minister says he is committed to being open, accountable and transparent, yet he refuses to answer questions in question time and he refuses to commit to appearing before the public accounts committee. So I ask: what are you worried about in facing scrutiny on this issue and what are you trying to hide?

The PRESIDENT — Order! That question is not relevant to the minister’s portfolio in asking, ‘What are you worried about?’. The member is going to have to rephrase it or I am going to rule it out of order. I will give him an opportunity to rephrase it.

Hon. G. K. RICH-PHILLIPS — Thank you, President. My question to the minister therefore is: why do you refuse to answer questions on this issue?

Hon. J. M. MADDEN (Minister for Commonwealth Games) — The only thing that I particularly worry about is the policy vacuum on the other side of the chamber.

Honourable members interjecting.

The PRESIDENT — Order! I call Mr Eren.

Honourable members interjecting.

The PRESIDENT — Order! Mr Forwood! Minister Madden! There is one question remaining in question time. I have already called the member, but obviously half the members did not hear that. I ask members to desist from interjecting and allow Mr Eren to ask his question to the minister.

Wind farms: Waubra

Hon. J. H. EREN (Geelong) — My question is for the Minister for Energy Industries and Resources, Mr Theophanous. Can the minister advise the house of how today’s announcement of a planning permit for the Waubra wind farm will benefit the community in the Ballarat region?
Hon. T. C. THEOPHANOUS (Minister for Energy Industries and Resources) — I thank the member for his question, because this really is a fantastic announcement for the people of Victoria, for central Victoria and the Ballarat region in particular. It is a fantastic announcement on many different levels, and I will be very pleased to tell the opposition what they are. What this amounts to is that there will be a 192 megawatt wind farm in Waubra. For people who care about these things, that is enough to provide power to almost 100 000 homes, which is more than the number of homes in Ballarat. Therefore, if you think about the logic of this, on a given day every single house in Ballarat might be not producing one single bit of pollution arising out of their use of electricity. Think about what that means for Victoria and for the Ballarat region. That is the environmental benefit.

Then you have 150 jobs during the construction phase of this project, spin-off jobs like the 50 jobs in the blade factory in Portland, other jobs like the 80 jobs in the Keppel Prince factory or in other facilities that build the towers. We are talking about jobs and an industry for regional Victoria — —

An honourable member interjected.

Hon. T. C. THEOPHANOUS — We will keep talking about it because we support it, but unfortunately the opposition only bags these things.

Given we have just passed legislation last night, I need to outline to the house another important benefit to the region. On the rating formula that was included in the Energy Legislation (Miscellaneous Amendments) Bill which was passed last night, the local council will receive $213 000 a year in revenue from this wind farm. That is $213 000 a year from rates. The company involved also said that it will provide the local community — through a community fund — an annual, indexed payment of $64 000. That is a total of $64 000 and $213 000 going into the local community, and if you work it out over the life of the project, that amounts to about $7 million going into the local community as a result of this project.

What have you got? You have a project that delivers on an environmental basis, on the basis of our obligation to the environment, because it means less pollution; on jobs; on investment — with more than $300 million going to the local community; and on a community basis as well by delivering up to $7 million to the local community over the life of the project. This is a fantastic project, and it shows that the persistence and leadership of this government in the area of wind energy is starting to pay off for regional Victoria.

Ordered that answer be considered next day on motion of Ms HADDEN (Ballarat).

QUESTIONS ON NOTICE

Answers

Mr LENDERS (Minister for Finance) — I have answers to 32 questions on notice, and for the record 9 of them are of Mr Forwood’s group that he raised yesterday: 3325, 4176, 4340–42, 4345, 4346, 4581–86, 4602, 4611, 4620, 4630, 4639, 4648, 4667–69, 4671, 4672, 4739, 4773, 4774, 4792, 4793, 4852, 4853, 4873.

ACCIDENT COMPENSATION (AMENDMENT) BILL

Second reading

Mr LENDERS (Minister for WorkCover and the TAC) — I move:

That pursuant to sessional order 34, the second-reading speech, except for the statement under section 85(5) of the Constitution Act, be incorporated into Hansard.

I wish to make a statement under section 85(5) of the Constitution Act and also to inform the house that this bill had a minor amendment in the Legislative Assembly dealing with the commencement time for the provisions for companies exiting into the Comcare scheme, but that is clearly enunciated in the bill.

Motion agreed to.

Mr LENDERS (Minister for WorkCover and the TAC) — I move:

That the bill be now read a second time.

Incorporated speech as follows:

The provisions in this bill will:

- protect the WorkCover scheme from the impacts of employers exiting to the commonwealth’s Comcare scheme;
- make retrospective amendments to ameliorate the immediate risks to the WorkCover scheme consequent on the Court of Appeal’s decision in Balogh;
- bind the Crown to the criminal liability provisions of the Accident Compensation Act 1985;
- remove an inconsistency between the cross-border treatment of claims and the liability for premium; and
- make other technical amendments to allow for the efficient administration of the WorkCover scheme.
The risks to the VWA from exits to Comcare

Two of the main objectives of the Victorian WorkCover Authority are to:
- manage the accident compensation scheme as efficiently and economically as possible; and
- secure the health, safety and welfare of employees in the workplace.

The VWA’s ability to meet these objectives in the future has been threatened by recent actions of the Commonwealth in declaring certain employers eligible to apply for self-insurance under the Comcare scheme.

These moves threaten both the long-term viability of the Victorian workers compensation and occupational health and safety regime. There are three major threats that the bill is designed to address.

First, if the Commonwealth’s moves go unchecked, the VWA would be left to cover any increase in the cost of long-tail liabilities that an employer incurred prior to moving to Comcare. As that employer would no longer be paying the VWA premium, the employer has no incentive to manage their return-to-work obligations effectively. This in turn may mean that the cost of the claim is greater than it should have been and that additional cost is borne by the VWA, and ultimately by Victorian employers through increases in premium.

More importantly, it may mean that the injured worker is disadvantaged in any efforts to return to work. The proposed bill will focus employers on complying with their return-to-work obligations under the WorkCover scheme and ensures that injured workers are returned to work where possible.

Second, regardless of the VWA still being required to regulate those employers who exit to Comcare under the Victorian Occupational Health and Safety Act, the VWA’s WorkSafe compliance activities continue to be funded by a premium system. Given that those exiting employers will no longer pay premium, the VWA and the employers who remain insured with the VWA would be subsidising the occupational health and safety regulation of those exiting employers.

Third, the VWA would no longer have access to the data from those exiting employers that underpins its OHS regulation. Without this data it becomes difficult for the VWA to effectively regulate those exiting employers. This in turn may jeopardise the safety of Victorian workers.

Given these risks, the government is acting to protect the Victorian workers compensation scheme. This will enable it to focus on what is important: the health and safety of Victorian workers.

This bill is therefore based on three principles:

- the VWA, and Victorian employers generally, should be protected from the financial burden of pre-exit claims from exiting employers;
- employers who remain with the VWA should be protected from having to subsidise the regulation and prosecution of health and safety in the workplaces of those that exit; and
- the VWA’s comprehensive OHS agenda to eliminate workplace death and disease should not be compromised by any movement of employers to Comcare.

Subsequent to the introduction and first reading of the bill on 19 May 2005, the VWA was advised that contrary to earlier advice the company which was currently applying for a self-insurance licence with Comcare, would exit the VWA on 30 June 2005, rather than 1 July 2005. Accordingly, the bill has been amended to ensure that all employers, including the current company, considering exit to Comcare will be captured by the amendments.

Balogh amendments

The bill includes provisions intended to address issues raised by the Victorian Court of Appeal’s decision in the matter of 
Balogh v. Shire of Yarra Ranges. In that case the court determined that in the absence of a formal 104-week notice, it had no jurisdiction to consider a worker’s entitlements and therefore the worker was entitled to continuing weekly payments.

This decision overturned what was the common practice and understanding of the provision in both the plaintiff and defendant communities. The amendments come with their support, given the court decision’s far-reaching administrative and financial consequences that could undermine the VWA’s viability. The amendments therefore return to the position as it was understood prior to the Balogh decision.

The provisions operate to clarify Parliament’s intention with respect to the termination of weekly payments in the absence of a formal notice.

Crown immunity

Given current expectations that government should be an exemplar in its role as an employer, this amendment provides that the Accident Compensation Act 1985 applies equally to both the public and private sectors. It ensures that the criminal liability provisions in the act are equally enforceable with respect to public sector and private sector employers.

Premium and the cross-border treatment of claims

This amendment has the effect of bringing into line the cross-border treatment of claims and the liability for premium.

The proposed amendments will simplify compliance with the premium system for employers who have workers who periodically work in other states and territories. In particular, employers located in regions near Victoria’s borders will benefit in that they will no longer be liable for multiple premiums to cover these workers.

Section 85 statement

Mr LENDERS — Clause 25 of the bill states that it is the intention of section 175 of the act, as proposed to be inserted by clause 6 of the bill, to alter or vary section 85 of the Constitution Act 1975 — that is, to vary the jurisdiction of the Supreme Court.
Proposed new section 175 of the Accident Compensation Act provides that there is no recourse to the courts in relation to assessments made under the new part VIA. Other sections in this proposed new part of the act provide for actuarial assessments of exiting employers’ liabilities, as they were immediately prior to their exit to Comcare and annually thereafter for six years, and depending on the outcome of those assessments to require payment of certain amounts to be made by either the exiting employer or by WorkCover at certain times. The bill provides only a limited right of review of these assessments and related matters.

These restrictions are necessary to ensure that:

- an incentive remains for employers to effectively manage their liabilities incurred prior to their exit to Comcare. Currently, the main incentive is via the premium system. As they will no longer have to pay premium, the incentive will instead be to limit the additional costs that they may have to pay for the liabilities incurred prior to their exit to Comcare. If the employer could dispute this liability, it may decrease the incentive to effectively manage these claims;

- the amounts that will be recovered are unlikely to be greater than those that would be recovered by the premium system if the employer remained insured with the VWA. VWA-insured employers have a limited right to recover premium and do not have recourse to the courts except in limited circumstances. As such, the proposal is consistent with the treatment of VWA-insured employers;

- the cost of any litigation would be largely borne by the VWA. Given that one of the bases for this proposal is to ensure the equitable treatment between VWA-insured employers and those that exit to Comcare, the costs for recovery of past liabilities have been minimised; and

- this limit applies equally to the VWA. If the assessment at the end of the six-year liability period finds that the employer has managed their claims so effectively that there has been a reduction in their pre-exit liabilities, the VWA is bound by the actuarial assessment and may in fact owe the employer a refund.

Incorporated speech continues:

**Conclusion**

This bill ensures that Victorian workers, employers and businesses are protected from moves by the commonwealth to expand their own workers compensation scheme. Given that Victoria’s workers compensation scheme is the best managed and best positioned in Australia, we need to ensure that it remains that way so that Victorian businesses retain their competitive advantage and to ensure that injured Victorian workers are fairly and adequately compensated. This bill allows the VWA to do that. It ensures that VWA-insured employers do not bear the liabilities of those that exit to Comcare and it supports the VWA’s role in regulating the health and safety in Victorian workplaces to ensure our workers remain safe.

I commend the bill to the house.

Debate adjourned on motion of Hon. BILL FORWOOD (Templestowe).

Debate adjourned until later this day.

**APPROPRIATION (PARLIAMENT 2005/2006) BILL**

*Second reading*

Debate resumed from 14 June; motion of Mr LENDERS (Minister for Finance).

**Hon. BILL FORWOOD** (Templestowe) — It is my pleasure to rise and speak today on the Appropriation (Parliament 2005/2006) Bill and at the outset let me put on the record that it is not the intention of the opposition to oppose the bill. We have a separate bill because it is important that the Parliament be not seen as part of the executive. This year, the appropriation bill, slight though it is, appropriates some $77.7 million for the operations of the Parliament, which is a not inconsiderable sum. It gives us an opportunity to reflect on the operations of the Parliament and in particular to consider the way the funding we receive is adequate for us to do our jobs. I for one believe in most cases we are well served by the people who support us both in the Parliament itself and in the electorate offices, particularly by the departments that serve the Parliament, including the Department of Parliamentary Services, the Legislative Council and the Legislative Assembly. For a number of years — —

**Hon. B. N. Atkinson** — President, I draw your attention to the state of the house.

**Quorum formed.**

**Hon. BILL FORWOOD** — If honourable members refer to page 4 of the bill before the house they will see the allocation of $77.7 million; $2.578 million to the Council; $3.976 million to the Assembly; $5.49 million to the parliamentary committees; $54.947 million for parliamentary services
and $10.801 million for the audit office. The budget for the audit office is higher than that shown in the estimates — we have this discussion every year — because it is able to charge departments for the services it provides. I know because the Public Accounts and Estimates Committee, on which Ms Romanes, Mr Somyurek, Mr Baxter, Mr Rich-Phillips and I serve, meets with the Auditor-General to discuss the adequacy of his budget. I am pleased to inform the house that again this year the Auditor-General has said that he has sufficient funds to perform the job he is required to do. That job requires providing information to parliamentary committees. I am pleased to announce again today that the Auditor-General has indicated that he will welcome the opportunity to appear before the Public Accounts and Estimates Committee to discuss issues relating to the comments made by the Minister for Commonwealth Games before the Public Accounts and Estimates Committee last week.

Ms Romanes interjected.

Hon. BILL FORWOOD — I did not invite him, I said, ‘Would you come if you were invited?’ He said he would welcome the opportunity — very simple. We meet with him all the time, Ms Romanes. You know that. He is looking forward to taking up the invitation, and I for one am looking forward to asking him a number of questions, not the least of which will go to the heart of what the minister said in question time today when he indicated that the statement was released yesterday by the Auditor-General, which of course was patently false.

An honourable member interjected.

Hon. BILL FORWOOD — All I said was that the minister’s statement was patently false. Do you think I cannot say that the minister’s statement is patently false? I am sure I can.

Hon. Andrea Coote — Say it again.

Hon. BILL FORWOOD — Patently false. The Auditor-General is funded out of the appropriation for Parliament as well. I have a few comments I wish to make about the general operations of the Parliament. I pick up the sigh from the President.

The PRESIDENT — Order! It was not a sigh.

Hon. BILL FORWOOD — I am sorry.

The PRESIDENT — Order! It was not a sigh. You would know if it were a sigh.

Hon. BILL FORWOOD — I apologise to the President for thinking that she was sighing. I thought she was about to object to the fact that again I was going to raise issues which I have canvassed in this place before, in particular the history of the One Parliament fiasco. I make the point that during a recent Public Accounts and Estimates Committee hearing I had the opportunity to ask the President why the morale of Parliament staff was so bad, to which she replied that she did not believe it was.

I have reflected gravely on her comments since then and suspect that the only thing I can say in relation to that is that either she is completely out of touch with the operations of the staff or I am. As a person who spends a lot of his time around the staff, I am quite willing to bet it is not me. However, be that as it may, we are well served by the people who look after us in this Parliament. The Parliament is well served by the people in this place. However, I sometimes think that members of Parliament have not been well served by the executive that runs Parliament.

In particular, without pointing a finger too finely at anybody, I would be aiming high rather than low when I make those comments. It would be inappropriate of me to name the people I hold responsible for the diminution of parliamentary standards over recent years. All I can say is that they know who they are. I look forward, in the short time left to me in my parliamentary career, to seeing some improvements.

Mr Lenders — Are you running again, Bill?

Hon. BILL FORWOOD — No, I am not running again. I make the point that in the short time left to me in this place I look forward to an improvement in the operations of the Parliament. However, I remain gravely concerned about the operating structure recently put in place by the presiding officers. I have again had the benefit of a briefing they provided to me which has a picture of the organisational structure of the parliamentary departments, and it does, I must say, show that there are a lot of sort-of-departments these days. We have a director organisational development and finance, a director precinct and property management, and a director library, communications and IT. That, of course, has led to the — —

Mr Lenders — There are 33 shadow ministers.

Hon. BILL FORWOOD — I wish we had 33, but we only have 32. That, of course, has led to the downgrading of the position of librarian in this place and, of course, the head of Hansard. I believe these to be gravely detrimental steps.
The documents go on to list some of the other managers
in this place. We have a manager library research; a
manager Hansard; a manager communications; and a
manager information technology. Then, of course, we
have the education and community engagement unit.
We have a manager grounds and maintenance; a
manager security and electorate properties; a manager
catering; a manager budgets and risks; a manager of
organisational development; a manager of accounting
and administration. Then I would include, for example,
clerks, deputy clerks and ushers of black rods, and in
the Legislative Assembly I presume they have
Serjeants-at-Arms, clerks and deputy clerks. This is a
very top-heavy structure.

Hon. J. M. McQuilten — There are a few Indians.

Hon. BILL FORWOOD — I pick up the
interjection from my colleague Mr McQuilten. I agree
with that. But I think the Indians are like the duck —
paddling like hell below the water as they seem to
serenely float along. They are the ones who do the
work.

I make two points: one is particularly appropriate
because the Minister for Major Projects is in the house,
and he is of course a great fan of the gateway system.
He is producing the brochure on my behalf. The
minister has provided this chamber with a list of all the
projects that are operated by his department. I am
pleased we have the gateway project. I have recently
become aware that a new project has been added to the
list of projects being undertaken by Major Projects
Victoria under the responsibility of the minister. I am
gravely concerned that this project has not been through
the gateway process.

Mr Lenders — Not the cattle on the pastures!

Hon. BILL FORWOOD — No, not the cattle on
the pastures. It is difficult to say how major this is.

Ms Romanes — The kitchen?

Hon. BILL FORWOOD — Ms Romanes knows it
is the kitchen. The parliamentary kitchen is being
upgraded to the tune of $6 million.

Mr Lenders — It is $10 million or more, brother!

Hon. BILL FORWOOD — I pick up the
interjection from the Minister for Finance, who says the
project is worth $10 million or more.

Honourable members interjecting.
going on, what the plans are and to have some acceptance and some understanding of what is in the pipeline. I raise at the outset my severe and grave concern about the capacity of the Parliament to deliver a worthy celebration of the sesquicentenary — 150 years of democratic government in Victoria. I look forward to some comfort being provided to members of Parliament in relation to this. I do not quite know the best way of doing it. Perhaps putting the agenda and the minutes on the Web, where they are meant to be, might be a start. But knowing the transparency and accountability of this place normally — —

The PRESIDENT — You cannot do it.

Hon. BILL FORWOOD — Why can’t you do it? We were told they would be put there. I look forward to a discussion as to why House Committee minutes cannot go on the Web. Given that a commitment was given at the Public Accounts and Estimates Committee by the Speaker, I am interested in someone addressing the issue. Perhaps this is an issue that should be taken up by the President, who seems to be getting some advice on the matter at the moment. We do not all belong to the House Committee. I am not sure if the House Committee is a bit like mushrooms in a factory — kept in the dark and well fed with fertiliser. I look forward to being informed on a regular basis on those particular issues. With those few words, I commend the bill to the house.

Hon. W. R. BAXTER (North Eastern) — I am pleased to make a brief contribution to the discussion this afternoon on the Appropriation (Parliament 2005/2006) Bill. I think the sum of $77 million that is allocated by this bill today to the Parliament is a large sum in the eyes of most people. It is perhaps not much in the overall state budget of $30 billion but to the public thinks it is getting value for money or not is our accountability. I am afraid we have seen in this government a decline in that accountability to Parliament. We saw it this morning in the motion moved by the Honourable Wendy Lovell in relation to a matter under the jurisdiction of the Minister for Housing. That minister did not respond during the debate. If there is a notice of motion being moved that is within the carriage of a minister in another place, I am quite prepared to have backbench members defend the government. But when the matter goes to an issue that comes within the jurisdiction of a minister who sits in this house, if the Westminster system of accountability, openness and transparency we hear so much about is to mean anything, that minister should be the one who leads the defence and responds on behalf of the government. It is a dereliction of duty not to do so and to some extent it is a slur on the house.

This minister is not the only one — we saw the same thing about a fortnight ago in a notice of motion moved by the Honourable Gordon Rich-Phillips who was critical of a minister in this house. That minister, the Minister for Commonwealth Games who is currently at the table, did not participate or spend time in the chamber during the course of that debate until the last moment. Ten years ago that would have been unheard of.

Mr Viney — I take exception to that.

Hon. W. R. BAXTER — I commend the fact that Mr Viney is so often left to defend his government when it ought to be government ministers who are leading the defence with Mr Viney offering backup support. I also want to briefly mention the fact that sessional orders do not encourage members of the public to think they are getting value for money when they come to understand that we are restricted in how often we can speak on the adjournment, on statements and on questions and that we also have time limits we did not have before. Again value for money comes into it.

There is also the fact that the May edition of unanswered questions on notice runs to 163 pages.
How can members of the public believe they are getting value for money when there are so many questions unanswered, particularly if one turns to the front page and sees question 1284, asked by me on 20 November 2003, remaining unanswered. I asked a similar question of each of the ministers on that occasion. They have all answered, with the exception of the Treasurer and the Minister for State and Regional Development in the other place. I wonder why that is so? I use my question as an example — there are dozens more that have been outstanding for, literally, years. Again I say that the public will not be convinced they are getting value for money when they see that document.

I also want to share Mr Forwood’s concern about the reorganisation of the Parliament, particularly the downgrading of the library. The office of the parliamentary library is an historic office and one that ought to have been retained in that form. It seems to me that the new structure that has been put in place suggests that there is a belief that Parliament can be run as some sort of public service department; that it is not a different institution. Parliament is very different to a government department and it ought to be run as such and not somehow or other be expected to replicate the structure and administration of a government department. I hope the presiding officers might rethink the way they have set up this structure. In saying that I acknowledge that the operation of Parliament has become much more complex than it was 20 years ago, but I still do not believe what is being done is appropriate.

I also want to comment on the security arrangements in this place that I understand are costing more than $10,000 a week. I am not particularly enamoured of security in any case — perhaps I am more prepared to take risks than other people — but I acknowledge that in the current climate it is necessary to have some form of security in this place. However, I do not think the system we have is very efficient and I do not think the arrangements at some of the entrances to the Parliament would achieve very much if someone wanted to circumvent them.

I am particularly concerned that the access for members of Parliament has been somewhat tramelled, particularly access through the side doors. This is especially concerning given that we were advised a trial was going to be undertaken with the closing off of those entrances, at least for ingress, and that it then became a permanent fixture without further notice to those of us who had made submissions and alternative suggestions as to how it might be operated. At the risk of sounding selfish, when I arrive here in the middle of the night and it is raining and I cannot get in a side door and have to go around to the back of the building I wonder why.

The point I particularly want to make about security is that if we must have it then surely it has to be consistent. For example, I often work in this place at night and one evening last week when I was here there was a function on in Queens Hall. People were coming in and out of the front door and wandering all over the place. They did not strike any security barrier as they came in, and they did not have to go through the machine that is down in the lobby. I am not saying they should, but I fail to see why visitors coming to the Parliament when we are here have to go through that performance but when we are not here and something is on in Queen’s Hall people can come in completely unchecked. It does not seem to have any logic to it at all.

I further wish that lights were left on in stairwells at night in view of the occupational health and safety arrangements — —

Mr Pullen — You said that last time!

Hon. W. R. BAXTER — Yes, Mr Pullen. When I come out of my office the whole place is in absolute darkness and I have to grope my way along a corridor until I find a light switch, and that is simply not good enough.

Finally, I want to say that some of the $77 million goes to the budget of the Auditor-General. As Mr Forwood said, it is not the Auditor-General’s entire budget because he charges fees for his services, as he should. The observation I want to make is that this is an illustration of the propaganda we get from the government side. We had it in question time today from the Minister for Commonwealth Games. Government members make allegations about what the former government did in respect to the Auditor-General. It was the former government that took the funding of the Auditor-General out of the Premier’s office, brought it over here and made it open and transparent in Parliament’s appropriations. Anyone who alleges — and Mr Viney is unfortunately not here at the moment, because he is one of the main culprits, as is Mr Eren on occasions — that the former government endeavoured to nobble the Auditor-General ought remember that it was that government that brought the budget for the Auditor-General within the parliamentary budget and in that way guaranteed his independence. I do not want to sound as if I have had a litany of complaints today, but I often concern myself that this place is in decline in terms of its public reputation. It is incumbent on all of us to arrest that decline and make sure that this
Ms ROMANES (Melbourne) — As Deputy President of the Legislative Council of Victoria I have great pleasure in rising to speak this afternoon on the Appropriation (Parliament 2005/2006) Bill. The bill before the house provides the appropriation authority for payments from the consolidated fund to the Parliament in respect of the 2005–06 financial year, including provision for any ongoing liabilities incurred by the Parliament, such as employee entitlements that may be realised in the future. The mechanism for doing that would be through a Treasurer’s advance. There are some other ways in which funds come into the Parliament, such as special appropriations, and the second-reading speech indicates that there is a carryover of the 2004–05 appropriations into the appropriations for this coming financial year.

Mr Forwood outlined the output summary for the different departments of the Parliament — the Legislative Council, the Legislative Assembly, parliamentary services, the parliamentary investigatory committees and the Auditor-General’s office. I am pleased to have been in the house during Mr Baxter’s speech to hear the origin of the Auditor-General’s inclusion in the parliamentary appropriations and to understand where that appropriation has come from and where it now resides. The fact that we have a separate parliamentary appropriation highlights the pre-eminence of the Parliament of Victoria within the democratic system of government in this state. It highlights the importance of putting money aside for all the functions and purposes that are needed to conduct good governance and good representative government. In the appropriation bill we are looking for $77.8 million, and the output summary shows that a total of $107.4 million will be spent on those various departments in the coming financial year. Those funds are to support the work of the two houses of Parliament in carrying out the legislative duties and to support the functioning of this important democratic institution in this state. Funds support representation of the community by members of Parliament — of the constituents of each member, wherever they reside in the state. That is done through the mechanism of our electorate offices, which also have to be provided for through the parliamentary appropriation.

Importantly, the parliamentary appropriation bill provides for the parliamentary investigatory committees, and in the 2005–06 budget there is provision of $5.5 million for the work of the committees. All 13 joint house committees do very important investigatory work on behalf of the Parliament of this state. In addition, there is the work of the Standing Orders Committee and Privileges Committee of the Legislative Council and the Standing Orders Committee and Privileges Committee of the Legislative Assembly. The Public Accounts and Estimates Committee, which we have been talking quite a lot about today, is vital to the work of scrutinising executive government conjointly with the Auditor-General’s office, which has a considerable budget of $25.9 million for the coming financial year.

Outlined in the budget papers are two significant challenges facing the Parliament of Victoria in the medium term. As stated, these are the delivery of the services demanded of the parliamentary departments within existing resources. Of course, every area of government faces that challenge, but that has been highlighted by the Parliament this year. The second is the continuing task of ensuring that Parliament House remains a functional working location that is accessible to the public within security constraints. We have all seen the impact of security arrangements post-9/11 and post the Bali bombings, and the enhanced security around Parliament House that has sometimes made life a bit more difficult and challenging. As is stated in the budget papers, the challenge is to continue to ensure that Parliament House remains a functional working location while providing adequate security. But there is more to it than that. Parliament House should remain an institution that is open to the community so that the community can understand the processes of Parliament, while those who work here and members of Parliament who spend part of their working life here need to have adequate protection. That is an ongoing and significant challenge facing the Parliament.

Two new asset initiatives are outlined in the budget papers. One is for new financial audit software for the Auditor-General’s office. The other is for funds for a heritage asset management strategy. It is very important that the ongoing heritage assets be managed within a strategic plan and cared for in that way. One key output initiative that deserves attention is the funding that will be put aside over the next few years for the 150th anniversary celebrations of democracy — that is, the bicameral Parliament in this state. It reminds me of the very good celebrations we had four years ago which marked the 150th anniversary of the Legislative Council itself which was, of course, the precursor to the establishment of bicameral representative government in Victoria.

Hon. Bill Forwood — So do you know what is happening?
Ms ROMANES — Mr Forwood has raised issues about the celebrations and what is happening, and has reminded us of the commitment given by the Speaker at the Public Accounts and Estimates Committee last year to make the House Committee minutes available to members of Parliament so that those who are interested can follow and be aware of what is planned. I make the comment for the benefit of members that the minutes of the House Committee, that being a committee of this Parliament, are subject to privilege and it was not possible to do that. However, progress reports are posted on the web site and regular updates can be gleaned from that.

I remind Mr Forwood that the Parliament appointed a project officer, Ms Sharon Morris, to oversee the project, and I suggest that we should be making more use of Ms Morris and the work she is doing on behalf of the Parliament. I suggest that perhaps the President might like to arrange a briefing, or ask Ms Morris to arrange a briefing, for members of Parliament so we can come up to date very quickly on what has happened so far and where it is going, and from that time on we may feel more able to keep in touch with Ms Morris and seek further information from the House Committee which can give us some information, and we can also follow the progress on the web site.

Many countries in the world do not yet enjoy the privileges and parliamentary and democratic traditions we have had in Victoria and in Australia for many decades. Sometimes when people come into the Parliament and sit in the gallery to watch what happens in here, it is very difficult in conversation with them afterwards to explain the significance of some of the very strange things which unfold in this chamber and which sometimes do not look as if they add up to parliamentary democracy for those who observe them. My way of talking with people about the exchanges and sometimes the conflict or repartee and the debate that goes on in the house is to suggest to those who cannot quite comprehend or respect the traditions of this place because of what they see, that it is better to fire words than to fire bullets. What we have in our parliamentary institution in Victoria and in the other states and territories of Australia are institutions that we should hold dear, strengthen and use wisely and well because the alternative to such democratic institutions is a spectre of anarchical situations that none of us would want to see.

In speaking to the Appropriation (Parliament 2005/2006) Bill, I wish to affirm again the importance of the Parliament in Victoria and within the system of governance that we have and also to again express my appreciation of those who in this Parliament serve the members and support us all as we in turn serve the people of Victoria in the broader community. I commend the bill to the house.

Hon. ANDREA COOTE (Monash) — The Appropriation (Parliament 2005/2006) Bill before us today is of great importance, small as it may be, because it provides the framework under which all of us in this building work and under which this Parliament and the democracy of this state operate. It is important to make certain we understand that all the services provided for within this bill enhance the way we operate in this place.

At the outset I would have to say that I believe, as Mr Forwood commented earlier, that standards in this place are falling. Less and less as days go by do we see a set of standards, particularly within this chamber, that are of the high standards which I know this place has upheld in the past, and I regret that, as indeed I think a number of people do. I call upon all of us in this place to understand that we are the representatives of our community and we should be professional, open and transparent. Ministers of the Crown should act as ministers of the Crown and we should in fact be accountable to the people of Victoria. It is an imperative on each and every one of us, regardless of whether we are parliamentary staff or politicians, to act in a professional manner.

I personally believe the standards in this place have depreciated rapidly over a very short time. Having said that, I think it is important to say that the ancillary staff and the people who support us and are catered for in this bill do an extraordinary job. I would like to speak of all about security. I had an incident last year. I am not certain whether many people in this place understand how the security in this parliamentary building unfolds, but all I can say is they were exceedingly professional, which was a great comfort to me. I am sure anyone who has ever experienced such a situation would be comforted by the depths of professionalism of the staff in this place. I would like to put on the record my thanks to all the people who helped support me at that time.

I am very concerned with the structure of how this place operates. I am very concerned that in this new system it will be difficult for Hansard particularly and for the library most specifically to understand what their budgets will be. They are lumped in with parliamentary services, and it will be very difficult for them to understand and designate their budgets. However, for the record I would like to talk specifically about the library and Hansard. None of us could operate in here without them. They defy my opening comments
about the standards in this place, because the library and Hansard have exemplary standards. Many of us in this chamber could take a leaf out of their book when it comes to their professionalism.

I would like to cite some statistics about Hansard. It is very interesting to see that there were 14,851 downloads in the autumn sittings in 2004. This is an extremely popular service. The Internet version of Hansard allows the public to know straightaway what is being said in Parliament. All of us may not like that at all times, but as a public service it is extremely important that we are accountable for our actions and our words. It is important that our proceedings are accurately transcribed and that is available to the public whenever they might need it.

I would like to take the opportunity whilst speaking on this bill to thank the Hansard staff on behalf of all of us for making many of the speeches in this place sound better than they did when they were delivered and for providing a professional window to the wider world. That is the link we have to people right across this state and probably internationally as well. I encourage Hansard to continue to use world best practice, to benchmark us against international parliaments and to make certain that our Hansard is the very best there can be. I hope provision is made within the parliamentary services budget to enable the Hansard staff to do the proper research and understand what is happening elsewhere so they can continue to give us the excellent service they do.

I would like to speak now about the library. I do not know that any one of us could get by without the library. The service its staff provides to us is exemplary and, once again, their professionalism is sacrosanct. We have a whole range of services from borrowing, the intranet site, journals, the media, electronic media and newspapers to the portfolio plus service, which harvests the latest material from seven of the library’s databases and presents them in a concise web format. Portfolio plus is updated several times a day, as those of us who use it know very well. Then we have NewsCentre. Not only is this a general news search, but it also acts as a personal news centre for each parliamentarian, sending out up-to-date articles of relevance to them on a daily basis. This service is invaluable to those of us who are in opposition. It gives us an opportunity to stay abreast of our portfolio areas and the bills on which we are speaking. It gives us excellent research which, with our limited staff, we might not otherwise have an opportunity to have. The library also provides a news archive, photocopying, printing, printing resources, reference assistance, a research service, tours and education and training and orientation.

For the record, the library has a total of 25 staff. They are research, technical, service and support staff. From my point of view they are always willing to help and assist. They do it willingly and professionally, and I would like to put on the record my thanks to them for the work they do, which is absolutely extraordinary. When you go to some of the major reference libraries in the state such as the State Library of Victoria, the law library and the university libraries, you realise that our parliamentary library is among the very best in the state. I would hazard a guess that it is among the very best in the country. As I said about Hansard, which needs the provision of funding to make certain it stays abreast and ahead of the field and is able to provide Australia’s best service, I encourage money being set aside for the library so it can continue to provide databases and electronic information to all of us so that we continue to be ahead of the field and provide the very best parliamentary library service in the country. I would like to commend all the staff in the library for doing that.

It is interesting to look at some of the statistics about some of the library services I mentioned. The electronic collection has grown 150 per cent over the past year. In 2003–04, 56,485 electronic documents were accessed. I would imagine that we will see an increase in that figure this year. NewsCentre has doubled. In 2003–04, 526,489 articles were downloaded. That is an enormous number of articles. An interesting statistic is that despite this online access, which is first rate, something like 98 per cent of members of Parliament or their staff actively use the library. I believe that is an excellent record. It shows tangibly what the library does in this building, and I commend it for it.

I intend to finish there. Others before me have spoken in detail about the figures involved in this bill. Indeed the Honourable Bill Forwood went to some length in describing what was in the budget papers and what is in this bill and the schedule to it. In conclusion, I would like to remind this chamber that I believe we can all be. I intend to finish there. Others before me have spoken in detail about the figures involved in this bill. Indeed the Honourable Bill Forwood went to some length in describing what was in the budget papers and what is in this bill and the schedule to it. In conclusion, I would like to remind this chamber that I believe we can all make certain that that happens.

Hon. B. N. ATKINSON (Koonung) — Naturally I support the bill, but I must say that I have some misgivings about the size of the appropriation. I believe more money should have been allocated to the Parliament in the appropriation bill because there are a number of areas where we need to improve the services provided to enable members of Parliament to do a
better job of work. In many cases, as members of Parliament we tend to be a bit gun-shy when it comes to talking about this piece of legislation and all it entails. When members of Parliament rise to speak on issues related to the appropriation to the Parliament there is a nervousness that they will be characterised as only looking after themselves, as trying to increase the facilities and perks available to members of Parliament.

Indeed I am a very strong believer that we need to be properly and adequately funded to ensure we have a robust democracy; to ensure we have robust debate and, more importantly, informed debate within this place; and to ensure that we as members of Parliament do the other side of the work that is part of being a member of Parliament in not just talking here but in going back into the community and communicating with people about what this place is doing, the laws that it is passing and the debates it is pursuing in the community’s interest. The reality is that we are not adequately funded at this point in time, particularly when we look at the allocations that are relevant to this house.

I happen to have the privilege of pursuing two shadow portfolios for my party, both of which represent very diverse communities within the state of Victoria. In one of them, small business — and many members would probably be aware of this statistic — 96 per cent of all businesses in Victoria are small businesses. Effectively my beat as opposition spokesperson on small business is 96 per cent of the business community in Victoria. In the sport and recreation area there are countless thousands of organisations delivering sport or recreation opportunities for Victorians. It is my beat and my responsibility to try to communicate with as many of those as possible.

I have to say that the task is an extraordinarily difficult one because, apart from anything else, I start with my own electorate of Koonung Province, which is a significantly sized electorate. It is certainly nowhere near as big as some of the country electorates that are represented here, but it has its own challenges for me in meeting my electoral responsibilities. I find, for instance, as I have often said to people in a joking sense, that with the budget allowance I get to run my electorate office for an entire year I would be able to write one letter to every one of my constituents once a year. But then I would have to close the office. I could not afford to pay the electricity, the phone or the security or the temporary staff, or do any of the other things that come out of that budget. All that budget will cover is sending one letter to constituents across the electorate once per year. I do not think that is adequate from a communications point of view. I note that this budget will enable members of Parliament to increase their communication with their electorates, particularly using newsletters in future, and I think that is a step forward. Nonetheless I am still not sure that the provision is adequate for members who are working hard within their electorates.

Perhaps more important in terms of service back to our electorates is the staffing of our offices as upper house members. Effectively I have one staff member for 11 months of the year — not even for a full year — because the Parliament does not cover for a replacement person for the four weeks annual leave that is available to that staff member. I happen to have two staff members who work on a job-share basis, and they put in above and beyond. I am sure most members of Parliament have staff who work well beyond the time that is allocated for their working week, and notwithstanding overtime allowance, which is no doubt drawn down for some of the extraordinary work that is involved in running an electorate office, they still put in well in excess of the time that really is provided for in our financial allocations. From my point of view it is absolutely ludicrous that I am unable to replace a staff member who goes away on holidays because there is simply no budget allowed from the Parliament. I have to draw that down on the standard electorate budget which, as I said, is already committed to postage, telephone, security, stationery, cleaning and so on and so forth. I think there ought to have been an opportunity to increase that staffing. I am very concerned about and very interested in what might evolve as we move to a new Parliament with representation on a regional basis. It is absolutely absurd if the intention of treasurers and their tsars is that parliamentary staff levels for the upper house will remain the same.

I accept that the role of members of Parliament in the upper house will change with the next election, that they will have a different focus in the work that they do, but anticipating the electorate that I might stand for at the next election I would be looking at an area that would expand from the current equivalent of four Legislative Assembly seat areas to the equivalent of 11 areas. I know that if I were to have any sort of a connection with that area and as a member of Parliament to represent it even in terms of policy debate in this place — I recognise that there may not be a constituency role but even in representing and understanding that community’s aspirations I might have an input to policy debates — I would really need a better facility provision.

Can I say that I am also concerned about the level of funding for computer systems. I think in the past we have found from an information technology point of view that the Parliament’s staff have struggled to
provide an adequate service to members of Parliament simply because the cost constraints have been severe, and indeed the challenges for them are severe. We have had the system attacked on many occasions by viruses and by campaigns by hackers and so forth, which puts an enormous load on the staff and the system itself. On many occasions that has caused difficulties for members of Parliament. I do not criticise the IT department or indeed the presiding officers and staff of the Parliament, who have tried to prioritise what funds are available to the Parliament. I simply make the point that I think we really need to have more resources to ensure that the Parliament is given an adequate system to enable members to do the job and to represent their constituents.

I also note, as other members have, that the parliamentary library does a fabulous job and is a very important source for all members of Parliament, particularly members of the opposition. Most members of the government in this house — in fact all but three — have never experienced opposition and have absolutely no idea of what is required in terms of research and the work that you undertake as a member of Parliament when you are off the drip feed from ministers’ offices for press releases, information bulletins and so on. You actually have to go out and do everything yourself. I think that is fair enough; in fact, it is a great learning curve for a lot of people. But what is important is the role that some of those resources of Parliament play in ensuring that opposition members are properly informed and have access to research and so forth that enables them to do their job better, therefore ensuring that our democracy continues to be robust and that we have accountability and scrutiny of government. That is crucial.

I note that there will be an allocation this year for an upgrade of the kitchen facilities at Parliament. I guess there is a real tendency for members of Parliament to be gun-shy of that sort of a project, because in the past there have been many criticisms suggesting that the kitchen operates as some sort of a subsidised facility that provides an important service — indeed, most of the dining facility is a cafeteria service for staff within the parliamentary precinct rather than a dining room service for members. It is important for us to look at upgrading many of the facilities within the Parliament, and the kitchen is certainly well overdue, particularly in the context of occupational health and safety issues. On that basis that work is certainly warranted.

I commend the staff of Parliament — and the allocations in the budget before us will enable this work to be carried on — in the maintenance of facilities in and around the Parliament. The buildings and gardens are things we can be very proud of. I again make the point that I do not see these buildings and gardens as any sort of sanctuary or preserve of members of Parliament. Some years ago the Kennett government proposed extensions to this building. As we know, the building was never completed. Those extensions were proposed and some initial work was done. The Honourable Bill Baxter presided over quite an extensive examination of how the building might be upgraded to meet the needs of a modern Parliament. The project was eventually shelved. I dare say there were a number of considerations in its shelving. I suspect that the costs were probably getting a bit higher than the Premier of the time had anticipated. I also know the Labor Party in opposition was playing games in terms of where the sandstone for the project might be accessed from, because the quarry was within an area that had become a national park. The Labor Party said, ‘Yes, we want the Parliament built, but we want to make a bit of a political point on this sandstone’.

Nonetheless, I have to say that when that project was shelved I was most surprised, because I have probably never had so many people come to talk to me about a project that was abandoned as I did about that one. In other words, ordinary people in the street had identified this building as their building — not as a preserve of parliamentarians and not as one of our perks of office in terms of the facilities that might or might not have been available to members of Parliament. They saw it as a significant, historic and important building in Victoria. They believed that project ought to have been continued and were disappointed that it was abandoned. We should recognise that in terms of going forward and looking at the sorts of facilities that we develop in this place.

There is absolutely no doubt that most of the members work here in offices that are totally inadequate for any sort of activity, let alone the representation of constituents in a place where they expect a robust, informed and effective debate. It is a joke to have a situation where two members are put in, as an office, what was effectively a document storage area and are expected to operate from that. The fact is that most members cannot have a constituent meet with them in their office in this place. If they do, they had better hope that only one person turns up for the meeting, because
there is simply no room for more than one. It is absolutely ridiculous, and it needs to be addressed.

I suggest to the President that one of the initiatives we ought to take up as we go forward this year — if possible, within this appropriation, and if not, then it certainly ought to be on the agenda for the following year — is to ensure that we have a sound system delivered to members’ offices that provides an opportunity to listen to the debate of not only our own house but also of the Legislative Assembly. In other words, in each of the offices we should be able to tune into either of the houses, because there are occasions when it would be valuable to listen to debates in the Legislative Assembly. At this stage we do not have that opportunity without actually going into the office of a member of the Assembly or into the other house itself. I will support the bill, as I have said, but I think we should look —

**The PRESIDENT** — Order! The member’s time has expired.

**Hon. RICHARD DALLA-RIVA (East Yarra)** — I have pleasure in making my contribution to the debate on the Appropriation (Parliament 2005–06) Bill and obviously indicating my support for it. I just want to take up what the Honourable Bruce Atkinson was saying. As one of the new members of this chamber I found it interesting to note some of the quaint surroundings in which we found ourselves. I was asked many times, ‘What is Parliament like?’ The only thing I could relate it to was the first time I was at the police academy in the old days, in the sense of the creaky wood and the way Parliament operates. The only difference is, of course, that the police academy has moved on from that and now has a world-class facility with the appropriate accommodation and training environment.

I noted that in his speech Mr Atkinson referred to the difficulties we as members who represent constituents have in not having an environment we can feel comfortable about bringing a number of people into. As we all know, it is difficult to have a discreet conversation with somebody when the only opportunity you really have is the dining area or the strangers corridor, where everyone walks past. Certainly in the area of scrutiny of government, where people wish to come to speak to me on matters of government accountability, it is difficult to meet with them during the parliamentary sitting week for those very reasons.

That is an aside. What we are here debating with this bill is the increase in the amount of money that is allocated to keep this Parliament in operation. I must say that it was quite a startling revelation — taking out the Auditor-General, of course — to find that the overall increase was around 5 per cent, or roughly $3.9 million. That is a substantial increase in terms of where the money is going, given that in my view we really have not seen an overall improvement in the accountability and responsibility of government to the people of Victoria. Over the last number of years under this government we have seen that it has become more and more secretive and more involved in ensuring that the executive uses Parliament just as a rubber stamp. It is more involved in avoiding scrutiny than in being — as it would like to think everyone would believe — open, honest and accountable. In fact this government has now become a very secretive government.

It has diminished the Library Committee, as we know, through a change to the legislation with the Parliamentary Administration Bill that was rammed through recently. There we saw quite a substantial reduction in the accountability and independence of not only Hansard but also the library. That is interesting in the context that federally the government has the right idea in terms of the independence of those particular authorities. We know from my previous reports of the frustration of the staff in having to work in such a strenuous environment, which I have previously indicated is not only fairly old but where there is also continual interference with free operation. That only happens because the government wishes to maintain its control over the agenda — it wishes to ensure that the accountability processes and methods of scrutiny are removed.

I note that in the Honourable Bill Baxter’s contribution he raised the issue of questions on notice. Forget about a 30-day rule; that is totally out of it. I looked at one of the unanswered questions on notice I asked that dates back to September 2003. That is a lot longer than 30 days ago. It was not a complex question; it is just not on the government’s agenda to deal with issues of accountability. When we did raise a lot of questions in Parliament, what did the government do? It instigated its guidelines, which it quickly dumped. But the guidelines are still there if you consider some of the answers to questions that I receive.

I note a noticeable decrease in funding in the areas of accountability and scrutiny. Those areas, which are dealt with in the bill, relate to the Department of the Legislative Council. Funding for that has dropped by 5 per cent and funding for the Department of the Legislative Assembly has gone down by around 7.5 per cent. The government has stripped about $500 000 from those two areas combined. It is interesting that when it is about looking after the government’s mates,
the government has increased funding for the Department of Parliamentary Investigatory Committees. Most committees do a reasonable job, but we know that in this term the government has increased funding because it has to reward its factional mates. That is on the record.

An honourable member interjected.

Hon. RICHARD DALLA-RIVA — Again, we get interjections when we start to talk about factions.

Mr Viney — Are you reading from a script?

Hon. RICHARD DALLA-RIVA — Again, we hear an interjection from Mr Viney, who is the king of that area. He always jacks up when we start talking about the factionalised ALP. We need to get to the motive: what are the underlying reasons for the legislation before this house? That is what it is about. It is about the avoidance of scrutiny and the rewarding of the government’s factional mates.

Ms Mikakos — That is what parliamentary committees do, you idiot!

Hon. RICHARD DALLA-RIVA — I take offence at that and ask the member to withdraw it.

The ACTING PRESIDENT (Hon. J. G. Hilton) — Order! I ask the member to withdraw that comment.

Ms Mikakos — I withdraw.

Hon. RICHARD DALLA-RIVA — In relation to the factionalised ALP, it is interesting to note that when it comes to accountability it is about the motive. This bill demonstrates that, because when you look at the departments of the Legislative Assembly and the Legislative Council you see that those are the two areas where there has been a reduction in funding. Look at how the government wants to have control, because communists like to control. That is what the government is trying to do — it is controlling the Parliament. Time and again we see this Parliament being used as a rubber stamp for the executive.

There is nothing more stark than what we see on page 8 of the bill: the budget for the Department of Parliamentary Services has blown out. I will take out the additions to the net asset base, which only increased by $50 000. If you look at the provision of outputs you will see that it has gone from $47.063 million to $50.847 million. In other words, it has seen a $3.8 million increase in one year — an increase of 7.5 per cent.

In recent times we have seen the abolition of the Library Committee. As the Honourable Bill Forwood indicated, commitments were made to provide information after committee meetings, but, of course, that has not occurred. The government said its One Parliament business plan for 2003–06 would only involve an increase of one staff member in the parliamentary departments, putting in a department secretary as part of the amalgamation. However, what it ended up doing was sticking in another six extra staff. No disrespect to those staff, but it is interesting that Parliament now has two more deputy clerks and, as part of the executive within Parliamentary Services, there are three more directors as well as the Secretary of the Department of Parliamentary Services.

On the advice and information I have received those appointments equate to an additional $625 000 a year of taxpayers money. For what purpose? For the purpose of ensuring a further level of control. I have raised my concerns previously, and this is reinforced today through the bill. In the areas where the government wants control it has increased funding by around $3.8 million. In the areas where the government wants more control it has put in money, but in the areas where it wants less control it has taken money out. It has taken money out of areas where there should be open, accountable and transparent government. It has taken it out of both chambers and put it into a high level of bureaucratic red tape. The government has removed the independence of Hansard and the parliamentary library. That is disappointing. Not only that, I have raised before the capacity of the library in terms of its research staff. If you do not want to be exposed for the activities the government is up to, research people are removed. Those issues were covered adequately by the Honourable Bruce Atkinson in his contribution.

This bill is a stark reminder to the people of Victoria why this mob needs to be removed. It is a stark reminder of a government that is hell-bent on continuing to control, manipulate and to manage the agenda despite the fact that constituents in the broader community rely on Parliament to deliver them a solid base for the future. The government has no vision; it is bereft of vision. It is a government that looks only internally and will be held to account in the future for having delivered absolutely nothing but spin and waste of taxpayers money.

Hon. PHILIP DAVIS (Gippsland) — On that slightly discordant note I start my contribution having intended to say that this is the one bill that we consider in this place each year in which most, if not all, members are on song. I note that the previous speaker made some wide-ranging remarks about the
performance and accountability of the government. I have absolutely no doubt that his comments were most apt.

I want to make a very brief intervention in debate on this bill. In setting the scene I should say there are questions as to whether the budget of $77.8 million is a large amount. We should look at it from the perspective of the total outlays of the government of over $30 billion for the first time this year. What is it that the taxpayers of Victoria get from the Parliament for their $77.8 million? Amongst those things that are expected of the Parliament in a contemporary sense are that in the lower house there is an electoral college from which the government of the day, the executive, is determined. The Parliament as a formal institution — both houses of Parliament — approves the legislative initiatives of the executive. At another time it might approve legislative initiatives of independent members, but that does not seem to be the case now. It is clear that the current government is not interested in any proposals that the opposition parties or Independent members of Parliament might put forward in that sense.

I suggest that one of the primary roles of the Parliament is to hold the executive to account. I will not belabour the point that I think has been made by other speakers today of the opposition’s view about the accountability of the Minister for Commonwealth Games. It is clear it is the role of this house and the Legislative Assembly to hold the executive government to account — that is, on behalf of the people of Victoria, putting members who have ministerial responsibility to the test in relation to challenging their administrative competence and policy proposals. If it is the case that members of the opposition parties, or even members of the government, feel that matters need to be given an airing in the Parliament, they should be given every courtesy to ensure that the community has its interests protected by the forum of Parliament. A further role of Parliament is to raise and discuss matters of public interest. These are amongst the principal roles of the Parliament. So do taxpayers get good value for their $77.8 million? I think essentially they do, given the size of the total outlay under the control of the executive government, being $30 billion.

I indicate that the staff of the Parliament are professional and dedicated. However, I concur with comments made by others that there is certainly a much lower tone in terms of staff morale around the house. I have now been in this place for 12½ years and I have never seen a time when the general attitude and morale of the staff I come in contact with has been lower. I think it is frankly a leadership issue. There is a lack of leadership in terms of the way this Parliament is operating. I took great interest in the Honourable Andrea Coote’s comments about standards. It is not about whether you are a traditionalist, but it is about professional courtesy and standards of behaviour, and they are at a pretty low ebb both in the house and around the Parliament. I am not talking about the standards of behaviour of staff.

Having said that, the further point I want to comment on is security. I know this has been alluded to by a number of speakers, including the Honourable Bill Baxter. It will be no surprise that Mr Baxter and I have had similar experiences because it is quite clear that members of Parliament representing country areas spend a good deal more time working from their Parliament House offices than do members from city electorates. It goes without saying that as Leader of the Opposition in this house I have an additional demand on my time to be here working in this place, doing work which I might choose to do from my electorate office but which is impractical because of the tyranny of distance.

I am often here at weekends and after conventional business hours. I am here at different times of the day and night over seven days of the week. What I observe is something that I have spoken about in this place before, but I must insist upon making the point again. I direct this matter to the presiding officers, who are ultimately responsible for the operation of the Parliament. Albeit that matters of security are delegated to the Usher of the Black Rod in this place and to the Serjeant-at-Arms in the other place, these are matters that are properly the responsibility of the presiding officers.

I make this point: just as in the 19th century when this Parliament was constructed and the architectural design was such as to create a magnificent facade to the building, so the security here in Parliament House is nothing more than a 19th century facade. There is no security. There is no effective security in this Parliament. We have protective services officers who coast around the building doing what they are asked to do, and they do it professionally and diligently within their brief.

We have security contractors who work from 8.00 a.m. until 6.00 p.m. on normal working days and otherwise from 8.00 a.m. until the houses rise when Parliament is sitting but who are not here after hours — that is, after 6.00 p.m. — on non-sitting days. We have, of course, Parliamentary attendants who are not security officers and who are not trained in security, whose job when they are on duty and the public is at large in the Parliament is to direct traffic and answer inquiries and
so forth, as is appropriate, but who are essentially part of the facade of security. They do not have the security function at all, and it would not be proper to ask them to do that task.

What I am concerned about is my own personal observation and experience that I can be working here late into the night and I can find that there are people coming and going from the Parliament at will through the front doors without any control, inspection, approval or identification. They may or may not be associated with a function which is occurring in one of the rooms of the Parliament. Anybody who is part of the great unwashed from the streets of Melbourne can walk up the steps of Parliament unencumbered and walk through the front doors at any time after hours when there is a function occurring in Parliament house. They can bring in with them any device they imagine may be appropriate to bring with them. They can secrete themselves if they wish in the vast corridors and rooms of the Parliament and remain here undetected for as long as they choose.

It would seem to me that for Parliament to have invested so extraordinarily in security and for it to be anything but in practice a facade is a disgrace. It is a disgrace that the presiding officers should be embarrassed about. It is a disgrace because the security arrangements, as Mr Baxter pointed out, are almost designed to provoke wrath in the minds of country members of Parliament whose access to and egress from the Parliament in times when they need to get in and out of the building after hours is frustrated, yet when there is a function here and the doors are open anybody can wander in and out as they choose.

This is not just make believe. It is the case that I have been working in my office — which all members in this place would know is on the chamber level of the building — after hours and what I have experienced is that I have had people who are, to the best of my knowledge, either involved or not involved in a function occurring in Parliament House open my door, walk into my office and when asked what they are doing say, ‘Oh, we are just looking around the building’. I do not know whether, experiencing that, I should think, ‘What a wonderful place it is in which we live that security is now required, but you are not required to be on the chamber level of the Parliament, to frustrate members of Parliament’s reasonable access to the building but to let anybody who is not a member of Parliament, if they choose, to wander into the building when they like when the doors are open. That is a complete farce. It is high time this was exposed and that the presiding officers and the other officers of the Parliament who are responsible for this damn well did something about it, because the prospect is that taxpayers are not getting any benefit for their contribution to the security of the Parliament and on the other hand members and staff are potentially at risk in the longer term.

In line with what Mr Baxter said, I do not particularly like the notion of extensive security. I would prefer that we did not have to have that, but the reality is that it was a rude awakening to us that as a consequence of September 11 we have all had to rethink our attitude to these matters. It is simply a function of the world in which we live that security is now required, but you have to have consistency. It is inconsistent to have the arrangements in place which presently exist, and I urge that action be taken forthwith to deal with that conundrum.

Mr VINEY (Chelsea) — I will not take a lot of the time of the house on the Appropriation (Parliament 2005/2006) Bill, but I shall take the opportunity to respond to and correct on the record some of the contributions that were made in this debate by opposition members. It is important to put on the record this government’s approach to accountability and openness. Opposition members have taken the opportunity through this bill to make undeserved criticisms of this government in relation to accountability.

I can agree with Mr Philip Davis on the issue he raised in his contribution that the important role of the Parliament is to hold the executive to account. I can see no example in this chamber where that has been diminished. There are plenty of examples where the ability of the opposition to hold the executive to account in this chamber has been enhanced, such as the extension of time available for and the flexibility that
has now been given on the consideration of reports before the chamber. There has been a full, frank and continuing openness on the management of question time, and there are opportunities during the adjournment debate and members statements, which I believe were introduced by this government in this chamber, for opposition members to raise with the executive questions and matters of concern that they might have. There are more than adequate opportunities. This government has also put in place additional sitting days. It is pathetic for people like Mr Dalla-Riva and Mr Philip Davis to come in here and say in some way there has been a diminishing of that accountability. Their problem is that they are incapable of prosecuting a case. They have not been able to come into this Parliament in two terms and prosecute a case against a minister or against the government in any area.

I commend the ministers and the executive of this government for their ability to manage their portfolios as well as they have. It is interesting that we have been faced with a very ordinary opposition that cannot prosecute a case and has taken the easy way out in this chamber in this debate today by suggesting that that is because of some diminishing of the opportunities they have in this Parliament.

It is a spurious and ridiculous argument. If the opposition cannot mount a case to prosecute either policy or other areas of ministerial responsibility in this chamber, then it should accept responsibility for its own pathetic and abysmal performance in this chamber. The opposition is not to come in here and suggest that in some way this government has diminished the opportunities for the opposition to prosecute those cases. I wanted also to say that I think it is very unfortunate that in this debate — —

Hon. David Koch — Acting President, I draw your attention to the state of the house.

Quorum formed.

Mr VINEY — I would like to thank the opposition for bringing a few more people into the house to hear what I have to say about the pathetic behaviour of the opposition. The fact is that in this debate the opposition has suggested there has been some diminishing of accountability processes in this Parliament. In actual fact the opposition is completely incapable of prosecuting any kind of case against the government on policy, ministerial accountability or on anything. Not once — —

Hon. Philip Davis — That is your opinion.
respects and values the contributions of staff in this place. It does understand that in an organisation such as Parliament that work can be difficult and it can be difficult for staff to cope with the stresses and strains of this place, particularly the late sitting hours and the pressure-cooker environment of Parliament when everyone is here. However, it was not appropriate for the opposition to raise those matters in this debate. I am disappointed in it and I commend the bill to the house.

Motion agreed to.

Read second time.

Third reading

Hon. M. R. THOMSON (Minister for Consumer Affairs) — By leave, I move:

That the bill be now read a third time.

I thank honourable members for their contributions.

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

APPROPRIATION (2005/2006) BILL and BUDGET PAPERS 2005–06

Second reading

Debate resumed from 14 June and 26 May; motion of Mr LENDERS (Minister for Finance) and Mr LENDERS’s motion:

That the Council take note of the budget papers 2005–06.

Hon. E. G. STONEY (Central Highlands) — An article by John Ferguson on the front page of the Herald Sun of 23 May headed ‘$112 million in hidden charges’ states:

Masses of fees and charges caught in a $112 million revenue grab are being hidden by the Bracks government.

…

But the government has no plans to reveal to taxpayers the full list of charges or their dollar value.

A few paragraphs later the article continued:

Premier Steve Bracks’ spokeswoman, Jane Wilson, said the government was not bound to make public all the fines, fees and charges.

Further down the article reads:

Ms Wilson said the government did not have a complete list or lists of the fees or charges.

‘There are thousands of fees and fines in place across government and not all departments maintain consolidated lists,’ she said.

I found this particularly interesting because the area I am particularly concerned with is forestry. We have a new state-owned enterprise in VicForests that is just finding its feet and there is no doubt in my mind that it is doing the government’s bidding. It is certainly doing the government’s bidding at the expense of the timber industry’s viability.

In a letter to all its clients dated 10 May, VicForests — an organisation that is still pretty wet behind the ears, and that is fair enough — said:

Average sawlog prices will increase by between $3 and $7 per cubic metre based on the percentage increases set out in —

the table. Of course the table includes ash, mixed species and specialty timbers and there was a complete list of the price rises. This cause enormous angst within the timber community in Victoria, particularly in the sawmills and the Victorian Association of Forest Industries (VAFI). Large and small sawmillers rose up as one against this massive increase. They felt there had not been enough consultation and that the increases should have taken the form of smaller ones over two or three years so that they could be absorbed gradually. Because it was such a large hike they felt it had the potential to destroy the industry.

Only a few days later, on Monday, 16 May, VAFI responded with some spirit to the announcement with a news release headed ‘VicForests price gouges industry’. The first paragraph of the press release reads:

VicForests, a state government body, intends to slug Victoria’s timber industry with price hikes between 12.4 per cent and 22.4 per cent this year.

Its release of the new timber charge and licence fees without consultation and on the same day as the federal budget, to avoid scrutiny, has also angered the industry.

This very detailed press release put out by VAFI went on to accuse VicForests of abusing its monopoly position. It also accused VicForests of price gouging and being out of touch with the market and went on to request that VicForests withdraw the price hikes and start discussions with the industry on a way forward. In the same press release Pat Wilson, VAFI’s well-known public affairs director, is quoted as saying:
… the industry was already reeling from a 30 per cent resource cut, the imminent loss of another 10 per cent, the removal of property rights by amendment to the state’s Constitution Act, new owner drivers and forestry contractors’ legislation that will inevitable drive up production costs, the pending introduction of an untried auction system coupled to reduced tenure —

and he makes the point that there has been a major downturn in the market. The press release continues:

‘You cannot just keep hitting the industry from every direction and then expect it to thrive and prosper’, Mr Wilson said.

VAFI went on to explain that if the increases stick, Victoria’s ash timbers will be the most expensive in Australia — probably 15 per cent higher than in New South Wales — and it points out that prices in New South Wales have remained static and may even tend to fall because of worsening market conditions. The press release goes on to state that the price hike will drive successful companies out of business or to the brink of extinction and it states that a number of sawmills are looking to exit the industry — and, of course, it mentions Hallmark Oaks at Cann River. That company, when it received the letter from VicForests, put its entire operation on the market.

A well-known identity up that way, Mr Bob Humphreys, told everyone who would listen that he had had enough, and I do not blame him.

My take on the increases at the time was that the 20 per cent hike in charges had exposed the Bracks government’s secret agenda to destroy the forest industry. I said at the time that if the Bracks government had any understanding of business and still wished to raise royalties, it would have consulted. I believe it did this without any, or very little, consultation. It should have raised royalties over a few years at a rate that business could have absorbed. Instead, it gave the industry a king hit, and unless that decision is reviewed I believe we will see the end of many viable timber operations here in Victoria. There is no doubt that the industry is reeling from the many impositions placed on it by the Labor government.

Whittlesea Sawmill Pty Ltd reacted within the week. It wrote a letter to David Pollard of VicForests which says:

The directors and staff of Whittlesea Sawmill Pty Ltd are objecting profoundly to the letter dated 10 May 2005 for the price increase on sawlogs.

This is not a justifiable increase in a market which is depressed; the industry has been all but decimated.

…

How can we even expect to recoup this increase when we battle every day for a dollar?

The letter goes on to require from VicForests an explanation of how it can make the decision without consultation. The letter continues:

… we have been waiting six years for decisions regarding licences to be made from the so-called learned people; I would not hold my breath on an answer.

VicForests have treated our industry in a disgusting manner …

And so it continues. The letter is signed by Pauline Lord, company director. Mrs Lord wrote a letter on the same day to the member for Yan Yean in the other place, Danielle Green. The letter states:

What does the Labor Party think they are doing? Ms Green, do you care that VicForests has informed us of a massive increase on our logs to the tune of 22.4 per cent —

and she goes on to talk about the 12 per cent on ash logs and other increases. She asks Ms Green to justify them. The letter continues:

As I lay awake and discuss this injustice we have received with my husband in the early hours of the morning, I can’t even see how we have the will to go on. It’s just the debt we carry that drives us to keep going. The Labor Party drained our industry, but more than anything they have caused such emotional trauma to us personally and all of our colleagues in the industry. In real life they would be taken to task.

It continues:

May we remind you, Joan Kirner was the person who introduced value adding … ‘you must invest to stay alive’ and so we did, but she forgot to say the next bunch of Labor will all but destroy the industry.

So these are very heartfelt and strong words from a medium-sized sawmiller. The letter continues:

We have written this because we feel as low as we can possibly go.

And we have the Labor Party to thank for this.

Oh and another tad of information for you to absorb. The article in the Age that featured my husband Len Lord regarding the Chinese exporting logs was his article, not the Liberal Party scaremongering as you stated. The Chinese people sat in our office at Whittlesea for an hour and a half trying to arrange the purchasing of logs. Therefore the reply you sent to Stuart Lord was absolutely incorrect and ill informed. This proves to me how little you know or care about our industry.

It is signed, ‘Bitterly disappointed and disgusted, Pauline Lord, company director’.

Bob Humphreys weighed in. He sent a letter to the Snowy River Mail and the Bairnsdale Advertiser from
Hallmark Oaks. He started his letter to the editor by saying:

It is with absolute amazement I read the advertisement regarding an auction for 150 000M3 of sawlogs from VicForests.

And it was about that time that Mr Humphreys put his entire concern on the market. The union weighed in and put out a press release expressing its grave concern about it. It talks about Hallmark Oaks and says:

Hallmark Oaks Timbers is the only remaining sawmill in Cann River … which employs 50 people, 35 of whom live and work in the township of Cann River and 20 of whom are currently accommodated in company housing. This business is now up for sale and the impacts on affected workers combined with the flow-on of reduced employment on their families and the community as a whole will be devastating.

VicForests have imposed a 22.4 per cent increase in the royalty or timber charge …

And it goes on to talk about the costs. That is the sorry saga of the price hikes for the timber industry. These price hikes will put another nail in whatever viability is left for an embattled industry. It is probably one of the final blows to the industry, and I do not think it can recover.

Just quickly I want to finish my contribution to the debate on the appropriation bill on the promise of natural gas to three towns in my electorate. Gas was promised faithfully to Wandong, Alexandra and Yea. It is not now being delivered and the member for Seymour in the other place, Mr Ben Hardman, is eating humble pie. To his credit, he has written a personal letter to the three newspapers. In a mea culpa letter to the Kilmore Free Press he says:

In response to Margaret Ashford’s letter … I understand her anger and frustration over natural gas and expect to receive criticism over that issue.

As publicly stated last week, I reaffirm my commitment to continue working on this issue, exploring all possible options which might deliver natural gas to the Wandong-Heathcote Junction community.

It is pretty second-hand stuff. The government went out to Wandong and promised faithfully, and now it cannot deliver. It has been left to the local member to try to recoup the situation. Mr Hardman wrote to the Standard. The heading for the article is ‘No natural gas for Alexandra, as written by Ben Hardman’. In part he says:

I have been formally advised by Regional Development Victoria that no private company has bid to supply Yea and Alexandra with natural gas.

I, along with the Yea and Alexandra communities, am very disappointed and surprised. I understand the frustration the community feels with the very high price of heating with LPG and electricity and the difficulty in accessing affordable wood.

I am fully aware that the community had a high expectation for natural gas being connected under the government’s $70 million natural gas extension program.

He wrote virtually the same letter to the Yea Chronicle under the heading ‘No natural gas for Yea, as written by Ben Hardman’. He must have had heartburn by the time he had written all these letters. He went on to say that he had been formally advised by Regional Development Victoria and that he, along with the Yea and Alexandra communities, is very disappointed and that he understands the frustration of the community.

The point I am making is that the residents of these towns were promised natural gas with no strings attached. They were not told at the time that there were caveats. They were not told that it relied on private people coming in and forming partnerships. They were not told that there might be any hitch at all. They were just told by the government, ‘We think that Wandong is a very good place to have gas. We think that Yea is going to get gas’. The implied promise was there for Alexandra and Yea, and even Bonnie Doon, which is not in the electorate of Seymour, and I am concentrating on that electorate today. The implied promise was that they would get natural gas.

It is quite obvious that the government did this quite deliberately to win the seat of Seymour in 2002. It will not be believed in any promise it makes on any issue at the next election, and it is my take on it that it will struggle to win Seymour at the next election.

Hon. M. R. THOMSON (Minister for Consumer Affairs) — It is a pleasure to rise in the debate on the budget papers and express how proud I am to be a minister in the Bracks government. This is the first opportunity I have had to talk about the achievements of the Bracks government and the way we have brought down financially responsible budgets, but also budgets that recognise that governments are here to provide services to their people — not to take them away, but to ensure that across Victoria adequate services are provided in health, in education and in police.

I am proud to be part of a government that has restored to our budgets the balance of being financially responsible while still providing the services that are required by Victorians and that their lives are properly serviced by the governments they elect.
I am very proud to be part of a government that has seen the creation of more than 278,000 jobs over its period in office, and I am proud too that since 1999 we have helped attract more than $4.3 billion in new regional investment. Part of the difference between the Bracks government and our predecessor is that Labor is governing for all of Victoria and is putting into regional Victoria, seeing new investment and new businesses in country Victoria. We are seeing economic growth in country Victoria. This has been at a time when parts of Victoria have suffered greatly from the drought, but still we are seeing growth in areas where it was unexpected and is unprecedented.

This is now the sixth successive year in which we have given a commitment to the electorate that we would maintain a budget surplus in excess of $100 million, and we are meeting that commitment with an operating surplus of $365 million for the year 2005–06. We are anticipating an average surplus of $394 million over the following three years. It is little wonder we have maintained our AAA credit rating, given those figures and the way in which the government has sensibly gone about restoring the balance in Victoria between financial responsibility, meeting the needs of the economy, ensuring that we are promoting economic growth right across the state and still providing the services Victorians need. We are putting the teachers back into our schools to teach our children, putting the nurses back into the hospitals to look after those who are ill, putting the police back into police stations, building the infrastructure to support our communities in the regions, building the police stations and repairing the schools, and we are certainly building upon our health system.

I am proud to be part of a government that saw the rebuild of the Austin Hospital and retained it in public hands. We all remember very well that the former government’s intention was to sell off the Austin Hospital. We now have a state-of-the-art hospital that stands there as a beacon for the way in which health services can and should be provided by government to Victorians, and I am proud to be part of the government that has achieved those outcomes.

I also want to talk a little about the supporting documents that we have announced with previous budgets. In coming to office we believed that we had to do more than just deliver budgets from year to year; we had to look at the long-term gains that we could make if we had a strategy and a plan for government that was about how we could help achieve economic growth and how we could help the private sector build and grow and develop. We had to look at ways in which we could better the community and be more innovative in the way we did things. Better Business Taxes was the first of our initiatives in relation to how we would work with the business community to help grow our economy. That delivered tax cuts to business of over $1 billion.

We went on in 2002 to deliver Building Tomorrow’s Businesses Today. Again, it was about delivering for economic growth, ensuring that we were creating a future that would be stable for job growth and economic growth and look to the future, about the kind of growth we needed in our economy and where best to drive that growth. In October of that year we also brought down the Innovation Statement, something I am very proud of, because it does what governments, particularly state governments, can do best. It asks: what are the industry sectors that we can excel in in Victoria? What are our strengths for the future? What is it that the state government can do to help promote that?

We brought down a statement that identified those sectors where we could support and benefit the community with future job growth and a greater ability to play a role in the global marketplace. We identified areas we wanted to concentrate on. There was one in my portfolio of information and communication technology, two in biotechnology and others in environmental technologies, design, advanced manufacturing and food — obvious ways in which we should and can excel and gain access to the global marketplace. We are seeing the benefits of that statement now as I, as Minister for Information and Communication Technology, look at the new investments we have brought into this state on the back of that statement and other statements specific to those industry sectors.

When you look at the investment by Indian information and communications technology (ICT) companies in Victoria you see that 8 out of the top 15 NASSCOM Indian ICT companies have invested in Victoria. They are growing and employing highly skilled Victorians to participate in their global operations. I was very fortunate this week to be able to announce a deal that was signed up with Satyam, one of the Indian ICT companies, and Victoria University which will see up to 20 undergraduate and postgraduate students being given the opportunity to learn and participate in the way Satyam operates. Satyam will work with Victoria University on curriculum development, giving those undergraduate students an opportunity to have work experience with a company and have it credited to their actual degrees.

This will give postgraduate students and those who have finished their degrees an opportunity to not only
work with Satyam but to work with Satyam in India and in China. This will increase their skill base by allowing them to be part of a truly global company and learn from that experience. That builds on the IBM model with Ballarat University which sees a global development centre on that campus utilising undergraduates and giving them an earn-as-you-learn capacity. IBM is involved in the development of the curriculum to ensure it is practical and meets industry needs. It also provides an opportunity for students to gain employment post study.

I am very proud of what we are achieving together with the ICT industry. At this point in time we are in the throes of looking at the industry plan and coming up with the next phase of it. I am thankful to the industry and those within it — the associations, tertiary institutions and the businesses themselves — who are working with us to develop a practical industry plan that will bring about real outcomes for the sector, real jobs for young Victorians and an opportunity for the small and medium-size enterprises (SMEs) in the Victorian ICT industry to gain access to the global marketplace.

I am also pleased that we have led some very successful trade missions overseas which have seen our businesses gain export opportunities and opportunities to partner with overseas companies for global work. I have spoken in this chamber about the recent trade mission to India and the outcomes of that. I am pleased to be able to tell the house that when I leave for Aichi in Japan we will be taking over 30 companies with 50 individuals across to Japan to give them the opportunity to look to business partnering, to gaining access to markets in Japan and to learning from the experience of travelling with people from other SMEs, tertiary institutions and the like and gain from the experience and enrich their business opportunities as a consequence.

I want to take this opportunity to, as unusual as it is in a budget debate, to pass on my sincere sympathies to the family of James Murray Gavin, commonly known as Murray Gavin. He was very influential in encouraging me politically and taught me that you never get exhausted in politics, you just keep fighting; that there is no such word as ‘can’t’; and you always have to be inventive and prepared to look at new ways of doing things. I was very saddened by his passing in the past couple of weeks. He was an icon in the Coburg area. As a mayor and a councillor he was very influential. As a matter of fact, as a student and young member of the Labor Party I was involved in what was probably the first political polling ever done — before we all started paying companies to do professional polling for us.

One of the questions we asked was, ‘Who are your locally elected representatives?’ Frank Cox and Murray Gavin were councillors at the time and they were nominated as the Prime Minister, the local federal minister, the Premier, the state representatives and local councillors. Murray Gavin was certainly everything Coburg needed, wanted and was prepared to have as its representative. I learnt a lot from Murray Gavin about the need to always be prepared to represent the people who elected you, to never give up the fight and to always hold on to what you really believe in — and I will take that with me forever. To Amy, Peter, Phillip and Paul and their families, I pass on my sincere sympathies. I know he will be really missed.

In closing I want to say that this budget delivers what we as the Bracks Labor government believe is important. We have delivered on our social policy through A Fairer Victoria. We have demonstrated a commitment to ensuring not only that Victoria grows generally but that everyone is given an opportunity to share in that growth. We are delivering growth through our economic statements and through our balanced budgets. We will continue to work with everyone in the community to ensure that we are delivering the appropriate services, the appropriate record investment in infrastructure — $10 billion over the past five years and $10 billion over the next four years. We are putting in place the very things that are needed to ensure that Victoria will always be a great place to raise a family.

Hon. PHILIP DAVIS (Gippsland) — It is an absolute delight to follow that contribution from the Minister for Consumer Affairs. I want to observe that the minister has been waxing lyrical about how much the government has been spending, but she has not talked at all about results. That is what I want to talk about. I want to contrast the previous coalition government and the results it achieved in rectifying the budget sector and putting Victoria back onto a financially prudent base with the underlying threat to the Victorian budget from the actions of the Bracks government.

I would like to point out that Victorians today are paying $740 more per head of population in tax after allowing for GST than they were before the Bracks government came to office. Since 1998–99 taxes have gone up 52.6 per cent, fines and regulatory fees are up 120.2 per cent, total revenue is up 46.6 per cent and total spending is up 58.7 per cent, including employee benefits, which have risen 60.4 per cent. In this budget the government has introduced new taxes on parking, water and gaming machines. It has extended payroll tax coverage. Businesses with significant land-holdings are being hit for extra stamp duty. There is a land tax crisis
with small and medium-size businesses being dudged by a lack of effective land tax relief for the second year in a row.

I want to talk about the credibility of the government, particularly the Treasurer and his capacity to deal with the issue of his responsibilities in his broad portfolio of being the Premier for Regional Victoria. John Brumby, the Minister for State and Regional Development and Treasurer in another place, is clearly performing a Herculean task to make up in country Victoria for the inadequacies of the rest of the government. I have a great deal of sympathy for Mr Brumby. Let us set the record straight: Steve Bracks did not win the 1999 election. If indeed a member of the Labor Party should be given that accolade it should be John Brumby. John Brumby is today the only minister who is still trying to represent the Labor Party and the government in country Victoria. In my view most other ministers have virtually abandoned the country. The phantom Minister for Agriculture in another place, Bob Cameron, is nowhere to be seen.

I was surprised when Robert Doyle, the Leader of the Opposition in the other place, and I went to Warracknabeal a couple of weeks ago — only to be followed hot on our heels by the Premier and the Minister for State and Regional Development, John Brumby, who turned up the following week trying to put a bit of a spin on the government’s thus far lack of interest in the drought in north-western Victoria — to find that the Minister for Agriculture has gone completely missing on the issue.

I want to go back to the central issue — that is, that John Brumby is responsible, with Steve Bracks, for the vision for fast rail in country Victoria. In an article in today’s Weekly Times I note that John Brumby in defending the government’s performance from a vicious attack by the shadow Minister for Agriculture in last week’s edition is quoted as saying:

… we are rolling out the biggest upgrade of regional rail in 120 years.

For those who have not seen the article I point out that the photograph of the so-called fast train is larger than the opinion piece, which is symbolically — no, I will not use that word. I might leave that there, but it is symbolic of the inadequacy of the performance of the Treasurer, because there is no fast rail program. Let me remind the house that it was on the election of the Bracks government in 1999 that a promise was made to conduct a thorough investigation. Voters need this to make a considered judgment on an increasingly contentious project,
and Labor’s frenzied spin, before they return to the ballot box in November 2006.

It is evident to me that the Labor Party is administratively incompetent. It is profligate with taxpayers money and has no intention of delivering on any of the significant commitments it made to country Victoria in 1999 or 2002. It is now so city-centric that there is only one minister in the government — the Treasurer — who is demonstrating any commitment to fulfilling any of those challenges. But I might point out that even he has now been seduced by his lack of capacity in relation to this.

I would like to take the view that this Parliament would hold the ministers of the Crown to account. I would like to believe that the government’s own backbench would like there to be public exposure of the administrative incompetence of the ministers who are responsible for various projects. Nobody believes anymore that natural gas, as my friend and colleague the Honourable Graeme Stoney referred to in respect of his own electorate in particular, is going to be delivered, but I point out that there were 23 country towns at least where individual candidates, members of Parliament and ministers of the Bracks government turned up during the 2002 election campaign and made promises that gas would be reticulated. What have we seen? More than two and a half years on there has not been one single new connection to natural gas in country Victoria, and I predict that that will remain the case for the balance of this year and probably next year.

The reality is that Labor has failed dismally. It is a profligate government. It has no sense of accountability. Every time questions of accountability are raised in this place ministers resort to abusing the opposition and referring to previous governments and take no responsibility for themselves. The day is coming when the Victorian community will hold this government to account. Just as the Age says today, it will hold it to account for the wasted expenditure as a result of its incapacity to deliver on its election promises that is so evident to country Victorians.

Ms HADDEN (Ballarat) — Thank you for the opportunity to make a contribution to the debate on the budget papers 2005–06. I think I am the lucky last to speak in the chamber, so Mr Smith will no doubt be listening to me with eagerness.

Mr Smith — What about with bated breath?

Ms HADDEN — With bated breath too. The Treasurer, Mr Brumby, is probably known in my electorate as a number of things, but I cannot repeat them in this chamber. He is called the $30 billion man and the Premier is called the $500 million mirror man for his spending of half a billion dollars on consultancies to prop up his image. It is a terrible shame. He should have stayed in Ballarat instead of moving to Williamstown in 1990.

The glossy brochures delivered to each of us by the Treasurer when he handed down the budget last month are filled with gloss and spin and rhetoric about delivering opportunity and prosperity to all Victorians. What I say to that is that I have not seen evidence of that in the budget papers and that if the intent is to deliver opportunity and prosperity, it is only for those latte sippers who live within the immediate vicinity of the city of Melbourne and within the ministers’ seats, because it certainly delivers nothing of any substance to rural and regional Victoria.

An amount of $227 million has been allocated to the water industry for water conservation projects over four years. That is just a rehash of the white paper and is in fact a new water tax. It comes from the environmental levy which the water ratepayers pay to the water authority and which it hands over to the government. An amount of $1.5 million was handed over last October by the Central Highlands Water Authority to Mr Brumby. There is no new money for water conservation projects. It is not a new commitment; it is actually a con on country Victoria. This is a city-centric budget. It benefits mostly those in Melbourne and in the eastern suburbs because of the disgraceful broken promise of the Premier at the last election, when all the voters on the eastern corridor were conned into believing Mr Bracks when he said there would be a freeway — he said it would be a freeway; never, never, never a tollway — and within three months had to say to the community of Victoria, ‘I have broken my promise’. But he forgot to say ‘Sorry’.

The government is heavily reliant now — more than the former Premier, Mr Jeff Kennett, ever was — on gaming revenue. What a sad, sad thing for Victoria that this government has to rely so heavily on gaming revenue, on breaking and destroying families for a few extra bucks to prop up its budget. The gaming tax revenue has doubled. It has gone from $1500 to $3000 per machine, which I think is approximately an extra $90 million for the government coffers, and no doubt the government will spread that around as an election sweetener come the 2006 election. I say shame on this Bracks Labor government for now relying totally on gaming revenue to prop up its figures.

In an article in the Herald Sun of 4 May, Peter Mickelburgh says:
Mr Brumby, of course, denies this is a budget that builds a war chest for next year’s election.

But if his economic forecasts prove correct, the Treasurer will have a significant honey pot to provide even more sweeteners in next year’s pre-election budget.

But people don’t forget broken promises, certainly not in country Victoria.

Recently there was another glossy document, called *A Fairer Victoria — Creating Opportunity and Addressing Disadvantage*. It is a whole lot of spin. It has messages from the Premier and the Deputy Premier talking about giving all Victorians a fair go and creating a better Victoria for everyone. That is okay if you are able bodied, if you have a job and if you have your own home, but it certainly discounts those with mental illnesses and acquired brain injury (ABI) — those young, disabled adults who are languishing in aged care nursing facilities. Certainly Chris Nolan, whose family has a farm at Meredith in my electorate, and Vicky Smith, who has been languishing in a nursing home in Ballarat since the age of 16 when she was severely injured in a car accident 18 years ago, do not think this is a fair budget and do not think they are getting a fair deal. No new money has been allocated to build specific accommodation places in Ballarat to cater for the nearly 50 young, disabled adults who are languishing in nursing homes. It is an absolute disgrace for this government to even suggest it is giving people a fair go, because it is simply not so. I think it is hoping that if it says it often enough people will believe it, but people do not believe it because it is simply not true. It is not delivering to disabled Victorians.

On the drought I think I heard Mr Philip Davis refer briefly to the agriculture minister. I am not sure I know who it is. They have certainly not seen him in the Wimmera and the Mallee. We certainly do not see him in drought-affected parts of the state, Bob Cameron, the Minister for Agriculture in the other place — so he says — is missing in action. I expected much more from Minister Cameron. He is also missing in action in relation to the toxic waste trucks that will roar up the Calder Highway through Bendigo. He is missing in action and he ought to be ashamed of himself. There was a little trickle given in the budget — $4 million — for drought-affected communities in north-west Victoria, but it was made up of community infrastructure projects in towns — streetscapes. I have seen the one at Warracknabeal. That does not help farmers, who want the farm support package reintroduced.

As I said, this budget is not about opportunity and it is not about prosperity. The budget is about spin. More than 35 000 people are waiting on the Department of Human Services (DHS) public housing list for the Grampians region. All this government can do is provide $50 million over five years to build new homes for families on low incomes, but it will only be constructing 100 new homes over the next two years. At that rate it will take about 100 years to house the 35 000 who were on the public housing waiting list last December.

Minister Lenders was the Minister for Consumer Affairs in 2003, when he promised the Ballarat child and family services tenancy and consumer service, which had been operating for about 20 years and which serviced Ballarat, Bacchus Marsh, Daylesford and Ballarat, that it would be funded. On 22 April 2005 the service closed its doors, with a notice that any tenancy and consumer referrals and inquiries could no longer be taken at the child and family services at Ballarat due to the cessation of funding. Mr Brumby, where are you? He is missing in action. The notice then states:

> After Friday 22 April 2005 all inquiries about residential tenancy and consumer matters should be directed to Consumer Affairs Victoria.

And guess what? It is a 1300 number. This government ought to be ashamed of itself. It has done nothing for the poor in my electorate. Ballarat has the fourth poorest people in the state. There are 1 in 10 people living in poverty in Ballarat alone. The UnitingCare Ballarat executive director has said he has to turn away up to 20 people a day who are seeking welfare. The Salvation Army in Ballarat has to turn away something like 59 people a week. They are all looking for help with the payment of gas and electricity charges — where is Mr Theophanous? — petrol and non-prescription medicines. I appreciate the latter is a federal issue, but what is the basis of and reasons for this poverty? They are gambling, the housing boom and insufficient skills training. Where is Minister Kosky, the Minister for Education and Training in the other place? She is missing in action. In Ballarat, which has the fourth poorest people in the state, where is the opportunity for the poor to better themselves? It is not there in this budget.

Paul Weller, the Victorian Farmers Federation (VFF) president, said to Mr Bracks and this government about country Victoria in the *Weekly Times* of 20 April:

> Ignore us at your peril

He referred to me quitting the Bracks government and said:
Politicians have learnt following the 1999 election that country people do not like feeling ignored.

They certainly do not like feeling ignored.

A Tony Parkinson article in the *Age* of 14 June had the headline ‘Bracks: the Premier who can’t deliver’ and was subheaded ‘It’s the story of the very fast train that thought it could but couldn’t’. The fast train is actually a farce train — if it happens! Its cost has blown out to 10 times the cost of the original 1999 promise. The government keeps changing the boundaries and blaming everyone else. It is now blaming Kennett — that is right, I recall that from the *Courier*. The Minister for Transport in the other place, Peter Batchelor, is blaming Kennett for what has happened with the fast train.

**An honourable member** — It’s on the cheat sheet.

Ms HADDEN — Yes, that is on the cheat sheet. Other constituents in my electorate say, ‘Steve Bracks has stabbed in the back residents living along the Scoresby corridor. He has broken his promise. The fast train network is a shambles, the Spencer Street railway station redevelopment is a joke and Brumby is Brumby — with the synchrotron white elephant or Taj Mahal. The Commonwealth Games village, the Melbourne Cricket Ground, the national gallery, the state library, the Austin Hospital, the showgrounds redevelopment and the Queens Wharf project are all not on time, not on budget and not on cost’.

**An honourable member** — It’s a disgrace.

Ms HADDEN — It is a disgrace. The Premier is called the half a billion dollar mirror man because of what he pays his Labor mate consultants to tell him how to run the state. What a sad state of affairs.

What about police? This budget failed dismally on that issue. The Minister for Police and Emergency Services in the other place, Tim Holding, told my electorate, ‘We will build you 54 police stations’. That is over five years, but where are the police to man them? There ain’t any. There was no funding for more police officers on the ground in this state. Perhaps the minister will put social workers in the police stations, as he is going to do with the Police in Schools support program. That will go down really well; that will really achieve the purpose of helping young people to improve themselves, understand the law and respect police, looking at them as their friends and not their enemies. The government promised to deliver an extra 600 police officers during this term; I think it has only delivered 100 or 200. It has failed dismally.

The government has broken its promise in regard to regional fast rail. There is no fast rail to Ballarat, Geelong, Bendigo and Traralgon, although the government managed to rip up the second line to Bendigo — that was really good progress! As for natural gas, forget that, because the Creswick community was promised it by the winter of 2003. That promise was made by the Premier, standing on the stage of the Creswick town hall. I know; I was there, and I actually had to prepare the town hall for him and the morning tea for the 350 locals. That promise has clearly been broken. The Creswick community is being slugged $3 a gigajoule, consumer price indexed for 20 years. Calculated out, that is over $5 million the Creswick community will pay for the natural gas extension, but it will not go to the whole of the town. It will not go to the industry, it is only going to go to less than 60 per cent of domestic households in the centre of town. Commercial businesses in the centre of town are not included either. If they want to be connected to natural gas, they will have to negotiate separately with TXU. It is not TXU’s fault; the government has not given enough — $70 million was never going to be enough to connect 100 000 households. Minister Theophanous had the audacity to say in this house that he would connect another 28 towns out of that $70 million. There ain’t no money; there is no money there. TXU has said it will not connect Creswick unless it gets a $24 million down payment.

This budget is absolutely awful. It does not provide for the real people in country Victoria. As I have said, this government is all about lies and jest; it hears what it wants to hear and it disregards the rest. It has failed country Victoria. I was ashamed to be a member of the party for 25 years. Another thing this government has done is close three country schools in two years. Where is Minister Kosky, the Minister for Education and Training in the other place? Missing in action. Three country communities — Dean, Kingston and Coghills Creek — have been rendered ghost towns because of the Bracks Labor government. Shame on the Bracks Labor government!

The other issue is wind farms. What an absolute disgrace! The government is quite happy to divide communities. What is that old phrase — divide and conquer? Minister Hulls and Minister Theophanous stand condemned. The people of country Victoria will not forget the part-time Attorney-General who is also the part-time industrial relations minister and the part-time planning minister, because he does not give his full attention to his major portfolio of Attorney-General. But of course he does not want to listen. This government listens to the communities with earmuffs and then bulldozes over us. It is not concerned
with truth, democracy, transparency and accountability; it is not concerned with the democratic operations of this chamber; and it is not concerned with the integrity of public life. Whilst this budget brings in the dollars for the Treasurer’s war chest for the next state election, it does nothing for country Victoria.

Mr GAVIN JENNINGS (Minister for Aged Care) — It is becoming a rare privilege and pleasure for me to join my colleagues on the government benches to talk about the 2005–06 budget, which has the potential to make an ongoing positive contribution to the quality of the daily lives of members of the Victorian community, so much so that government members and members of the community understand that we are united in our endeavours to make Victoria a great place to raise a family and to enhance the quality of life for all Victorian citizens regardless of their age, family structure and where they live.

Despite the contributions of members of the opposition parties to this debate on the budget, I have to say that from the very time we were elected our government recognised the significant contribution and role played by members of the Victorian community who live outside the Melbourne metropolitan area. We have been determined from day one to ensure that the priorities, programs, support and encouragement provided by our government knows no bounds within the state of Victoria. We recognise the importance of playing an important role of supporting those members of the Victorian community who live in country areas.

Hon. Philip Davis — Why do you hate the country?

Mr GAVIN JENNINGS — I was in the chamber during Mr Davis’s contribution, and I know he chose to deny that I was in the chamber at the time. I know that he was in a blissful state of denial about the ongoing role of a number of ministers, including me, and the ongoing contribution of our programs to support the quality of life of members of the Victorian community who live in country Victoria. During his contribution I wrote down off the top of my head the number of aged care facilities in regional areas of Victoria that I have opened during the course of my tenure as Minister for Aged Care. Those services are in Natimuk, Red Cliffs, Maryborough, Avoca, Rainbow, Bendigo, Sale, Bairnsdale, Wonthaggi, Eildon, Geelong and Warrigal.

Hon. Philip Davis — That is your job!

Mr GAVIN JENNINGS — That is my job, absolutely, Mr Davis. It is my job to support members of the community who require that degree of care. In fact there was not a single list during the period that Mr Davis was part of the government, not one facility that he would have opened during his tenure in government. Despite his proposition that the opposition is the party that cares for regional Victoria and people who live in regional Victoria, where is the demonstrated effort that he wants to measure us by? They are the facilities that I have actually opened during my tenure in office as commitments of the Bracks government.

There are a number of projects that are currently under way in my portfolio area in Yarrawonga, Numurkah, Trafalgar, Geelong at Barwon Health’s Grace McKellar Centre and Seymour. Continuing the trend in this budget, $61 million was allocated within my portfolio area to open new facilities in Ararat, Colac, Portland, Castlemaine and Wangaratta. That is hardly a demonstration of a minister who is not committed to delivering quality residential aged care throughout the breadth of Victoria. Mr Baxter does not join in the hysterics to deny the legitimacy of the Bracks government’s commitment to residential aged care because he was at an opening of a facility, and neither does Mr Bishop, who was present at the opening of the Red Cliffs facility. They know the bone fides of our commitment to residential aged care. They know the bone fides of our government in ensuring quality services throughout the breadth of Victoria.

When I was in Beechworth last week to open an event I made a commitment for community buses to be funded through the home and community care program, and 33 of the 56 buses in that commitment were allocated to regional Victoria. There is ongoing recognition of me as one minister of many within the government who recognise their obligations to provide quality services to regional Victoria. A recognition of the need to invest in community infrastructure and programs and provide quality support to people throughout the breadth of Victoria is a clear hallmark of our government. I am pleased to say that we are a government that can make those commitments we have delivered to the community and at the same time maintain a sound financial base for the ongoing viability of the finances of the state of Victoria. Indeed the 2005–06 budget maintains our track record and credibility by forecasting a $365 million operating surplus, and over the period of the forward estimates an ongoing average surplus of $394 million. That does not mean we shirk from our responsibility of providing the appropriate infrastructure and support that is necessary in our community. Unlike the commonwealth government, which has allocated basically nothing for essential infrastructure in this nation, our government has a record of investing $10 billion during our first term until this budget for such infrastructure throughout the breadth of Victoria. We have continued that through the
forward estimates in this budget, allocating $3 billion of new infrastructure investment alone, averaging $2.6 billion over the life of the forward estimates.

We recognise there is an appropriate need to balance infrastructure spending and the establishment of new facilities with a program of responses. There are a number of indications of that balance and level of investment in a number of key portfolio areas. In health and community services we have invested in this budget $473 million as new total investment for community facilities and added to that undertaking with $578 million worth of recurrent expenditure for new programs. In health in particular we will see an additional 40 000 hospital patients and 61 000 people presenting at emergency departments, resulting in reduced waiting lists and dealing with the health needs of the Victorian community. In education we have allocated $323 million in this budget in new investments in schools and support services and added to the recurrent budget of the education portfolio by $553 million up until 2008–09. In transport we have made significant commitments in this budget of $660 million of new investment in transport infrastructure. We recognise our obligations to support the sustainability of the Victorian environment. We have allocated an additional $323 million over four years to ensure better protection of our environment and the sustainability of Victoria’s precious resources.

We are a government that recognises a balanced approach to a budget. We recognised there was a need for us to adjust the land tax burden on property owners in Victoria and reduce significantly the tax liability of property owners in the $750 000 to $2.7 million category, which was where the major burden of land tax payments fell and where Victoria was not competitive with other states. Significant relief was provided to property owners. I am very pleased to say that the Treasurer accepted that it was appropriate to reduce the land tax that applied to aged care facilities and supported residential services throughout Victoria, and those facilities in the hands of private providers are now exempt from land tax. In taking a balanced approach the government understands the need to balance the investment in physical infrastructure throughout the breadth of Victoria with the need to provide the appropriate level of growth in programs and to recognise where tax relief is appropriate. That will be an ongoing agenda of the government that will be pursued with vigour, as we have already demonstrated with the $3 billion of tax relief that has occurred during the life of the Bracks government.

One element of the budget that I am particularly pleased to be associated with is the A Fairer Victoria package that was associated with the delivery of the budget. In its own right $788 million worth of initiatives are designed to meet the most dire and ongoing needs of members of our Victorian community who experience disadvantage. That disadvantage may be on the basis of place, where people live, or on the basis of community of interest or some community characteristic that unites people in ongoing degrees of disadvantage.

Our government recognised, that despite the reinvestment that has occurred during the life of our government, that we needed to take some further action in that regard, so the A Fairer Victoria policy, which was announced in conjunction with the budget, outlines 85 actions designed to address the ongoing disadvantage experienced by members of our community. Those actions are designed to improve access to universal services, to reduce barriers to opportunities experienced by members of our community and to strengthen assistance for particular groups of disadvantaged people and places. We want to make sure that we develop new programs and new responses that are undertaken in ways that will make it easier to work with government departments — we reduce red tape, we reduce the bureaucratic overload, we reduce the duplication of effort and we enter into partnerships with communities and with business and we develop a real change that will occur in a strategic fashion.

We are designing programs that try to ensure that there is early intervention and prevention in the lives of disadvantaged people rather than trying to deal with the consequence of ongoing disadvantage. What do I mean by that? We have invested $101 million in trying to ensure that children get a better start to life by providing new kindergarten relief programs and new child protection measures and trying to ensure that we provide funding for students with disabilities. As I said, we are providing kindergarten relief for low-income families who may not otherwise send their children to kindergarten.

We want to try to ensure that troubled teenagers get back on track so we are providing a better range of support services particularly for young people who come into contact with the juvenile justice system. We are allocating $35 million to try to prevent the prevalence of family violence in Victoria and to provide better accommodation options for victims of family violence and a range of appropriate counselling support services to deal with the needs of people who endure the ongoing rigours of family violence.
Within the package significant support is provided to older Victorians, such as additional support for home and community care and other programs to try to assist people being independent and to lead a happier and healthier lifestyle that they can maintain within their own homes. Some $50 million was allocated for that endeavour. We want to ensure that we increase access to community justice through neighbourhood justice centres and new innovative approaches to justice services. Similarly in terms of disability and mental health we have made a significant investment of $119 million to support people in our community who provide a range of services to meet the needs of people with disabilities, including respite and other forms of care. With the mental health programs some $180 million is being provided to ensure that there is a lower incidence of people being admitted to emergency situations in hospitals and that there are more appropriate forms of care.

Members of the house will be acutely aware of the significant investment and support we are providing to indigenous members of our community. On many occasions I have spoken in this house of the determination of our government to ensure the appropriate level of support to Aboriginal communities throughout Victoria, and $45 million has been allocated to support a range of Aboriginal programs.

Hon. Bill Forwood — I hope you believe this.

Mr GAVIN JENNINGS — Mr Forwood, you know I believe this, because on many occasions I have come into this place and clearly been totally accountable for everything I am responsible for and determined to deliver better results and better outcomes for Aboriginal people in the state. I am pleased that the Bracks government as a major priority in the A Fairer Victoria package provided that degree of support to Aboriginal people now and into the future.

Motion agreed to.

Read first time.

ACCIDENT COMPENSATION (AMENDMENT) BILL

Second reading

Debate resumed from earlier this day; motion of Mr LENDERS (Minister for WorkCover and the TAC).

Hon. BILL FORWOOD (Templestowe) — Much of the Accident Compensation (Amendment) Bill that is before the house is unexceptional. We do not oppose it. In fact we support quite substantial hunks of it. There are some bits of it with which we have some difficulties and I will deal with them in more detail. However, let me deal with the easy bits first.

Part 5 on page 46 of the bill deals with the Transport Accident Act. Division 4 of part 2 on page 26 deals with the same matter in the Accident Compensation Act 1985, also known as the WorkCover scheme. Those provisions abolish the use of the common seals of the Transport Accident Commission and the Victorian WorkCover Authority and substitute a regime of two signatures. New section 10(3), which will be substituted in the Transport Accident Act, says:
ACCIDENT COMPENSATION (AMENDMENT) BILL

Wednesday, 15 June 2005

COUNCIL

1453

There is a two signature system being brought into place rather than the use of the common seal. I think this is a modernising of the now rather archaic use of the common seals. We will see more of it. Of course we all know the history of common seals. As I said, this is unexceptional. We believe this is an important part of the modernisation of both of these schemes. We support wholeheartedly those particular provisions.

Part 3 amends the Accident Compensation (WorkCover Insurance) Act. Again, this particular part of the legislation before the house is sensible. This, I think Mr Baxter would agree, solves the cross-border anomalies in better ways and more closely marries the responsibility for the premium where people work. We have had a number of cracks at this over the years and, on my reading of the bill, I believe this is a sensible amendment and one, again, which should be supported. I put on record my thanks to the minister and his staff for arranging for me to work with half of the Victorian WorkCover who visited me to explain the various bits of legislation we are dealing with today, tomorrow or the next day because, as everybody knows, a session never goes by without some bit of legislation coming from the VWA or the Transport Accident Commission (TAC), or sometimes both. I thank the minister, his staff and the VWA staff for their assistance in helping me to come to grips with some of the issues.

Division 3 of part 2 on page 22 of the bill deals with the secrecy provisions. It ensures that there are some people who are able to get information from the VWA. This brings this particular clause into line with the structure that was put into place when we dealt with the Occupational Health and Safety Act last year. It is my belief — and I know it is the belief of the government and many others — that we should as closely as possible align bits of legislation so that people who have to deal with it, particularly bits of legislation like the Accident Compensation Act and the Occupational Health and Safety Act, can do so on the basis that there is as much similarity as possible between the two pieces of legislation. This is a very sensible amendment that makes sure that the provisions applying to the Occupational Health and Safety Act also apply in the Accident Compensation Act.

Division 2 of part 2 binds the Crown. Honourable members who listened to the committee stage of the Occupational Health and Safety Bill — a very long but somewhat truncated committee stage last year — —

Mr Lenders interjected.

Hon. BILL FORWOOD — Yes, it was; I agree. What I am alerting the minister to now is that another piece of legislation is rapidly heading this way — that is, the dangerous goods legislation. My recollection is that there is a whole bunch of provisions in there that are pretty near identical with what we had.

Mr Lenders interjected.

Hon. BILL FORWOOD — I suspect we might get an opportunity to go into them in the sort of depth that the Minister for Finance and I would have done had we had the opportunity last time.

During that particular committee stage we had a discussion about what obligations the Crown had and whether it was possible for a minister with particular knowledge to be prosecuted under the Occupational Health and Safety Act. There have been some doubts about whether or not the Accident Compensation Act criminal provisions did bind the Crown so new section 14A is being inserted into that act. The explanatory memorandum tells us that this act:

… binds the Crown in right of the state of Victoria and, to the extent that the legislative power of the Parliament permits, in all its other capacities.

It goes on to say that to avoid doubt — if you need it to be any clearer than it is — ‘the Crown is a body corporate for the purposes of this bill and the regulations. I think we can now take it as read that members of the Crown, even if they are bodies corporate, are subject to the provisions of the Accident Compensation Act, and we wholeheartedly agree with that particular amendment to the act.

I should deal also with division 6 of part 2 of the bill, ‘Amendments relating to weekly payments’. This comes out of the Balogh case — and I have the particular judgment in front of me. It is worth spending a fair amount of time going into detail about the Balogh case which is a fascinating one. It deals with an issue that occurred, my memory tells me, in the Shire of Yarra Ranges. My understanding of the case is that this particular person’s injury got better and he went back to work and as is the practice he stopped receiving weekly payments. But at the time the particular letter telling him that his weekly payments had ceased was not sent. Subsequently it was argued, and agreed, that if the letter saying, ‘Your weekly payments — —’

Honourable members interjecting.
Hon. BILL FORWOOD — The minister is shaking his head as though I am wrong. I think I am right, am I not. No? I had better go back and read it again.

Hon. W. R. Baxter interjected.

Hon. BILL FORWOOD — That is right, he had not gone back to work; 104 weeks had expired, but he had not received the notice. Because the notice had not been received he was entitled to continue to receive weekly payments. Our very strong view is that this needs to be made clear immediately and we are happy to support this amendment. I think everybody who has analysed this particular situation believes this amendment is sensible. It returns to the position that we assessed this situation believes this amendment to support this amendment. I think everybody who has needs to be made clear immediately and we are happy with the three-weekly payments. Our very strong view is that this is essential to get these things right. We have had a number of cracks at it. I was interested to read the judgment from the Court of Appeal in relation to hearing loss, where Mr Justice Winneke said:

As with many other amendments which have been made to this legislation, the 1997 amendments (insofar as they relate to industrial deafness) pay little regard to the contextual setting into which they were introduced, and have added to the difficulties which have been faced by the courts of this state generally in interpreting this constantly changing legislative scheme, and now, particularly, in seeking to discern the legislative intent as to the manner in which workers affected with industrial deafness are to be compensated for the cumulations to their ‘injury’ which inevitably accrue with continued employment in the same environment. I agree with Eames, J. A., that the well presented arguments mounted on each side of the dispute reveal inelegancies of drafting. However, it seems to me, as it did to the trial judge, and as it does to Eames, J. A., that the merits favour the construction put upon the legislation by the respondent worker; and that it is not necessary to call in aid the well established principle that, where two constructions of a compensation statute are possible, that which is favourable to the worker should be preferred.

Hon. BILL FORWOOD — Somebody out there was smart enough to do it!

Hon. W. R. Baxter — Some...
am happy to accept the word of the Victorian WorkCover Authority that this did not solve its problem.

So we are back here having another crack at it. I have made the point on more than one occasion recently that we seem to be getting too many bills coming round a second time too quickly, although I understand and accept that this is a situation that has been going on for a long time. But the consequence of this is that the government has decided that, despite the fact that it was its error in not fixing it up, it wants the policy intention to start from the time — that is, 18 November last year — when the other section, which was wrong, should have started.

While we on this side of the house will always support attempts to stamp it out, we take exception to the retrospective nature of this amendment. We do not think it is fair. If people act according to the law as it is — no matter whether we wanted to change it and have not done it properly — they should not be penalised in this way. I am aware that in the debate in the Legislative Assembly yesterday there was some discussion during consideration in detail of the number of people this may or may not affect. I was advised that we did not believe it was going to be a large number. In fact my expectation was that few existing claimants would be impacted by the changes. I understand the minister in the other place said he believed that since 18 November 2004 there had been around 260 further hearing loss claims, and of them 30 to 40 had been resolved. He believed something in the order of 20 people would be captured by the legislation as drafted. Our view is that it is better that those 20 people be treated according to the law as it is, rather than be treated according to the law as it might have been if we had got it right last year. For that reason I foreshadow that we will move an amendment in the committee stage of the bill, the effect of which is to make this clause come into effect on proclamation rather than being backdated to 18 November last year.

I want to be clear on this. We do not support people who abuse the hearing loss system. We do not support mechanisms that are used artificially against this scheme, but frankly we think people are entitled to apply the law as it stands at the time rather than suffer through backdating, and for that reason, although we are very clear on our stance on the policy position, we will be moving the amendment in the committee stage of the bill.

Having dealt with those minor matters, I am left with the major reason that I suspect we are here with this legislation before us. While the government does not mention the word ‘Optus’ in the second-reading speech, let us not put too fine a point on it. We are here today because the government is very scared that Optus going to the federal Comcare scheme is about to start a landslide — a flood — of self-insurers exiting the Victorian scheme, putting the scheme in jeopardy and undermining its viability. You can read all the words in the second-reading speech and in some of the statements that have been made by the minister and the previous minister about these matters in recent times.

It is important at this time to test that particular proposition. What we know is that the Victorian WorkCover scheme made $1 billion profit last year, and the minister advised me today, in answer to a question on notice, that not only did it make $1 billion profit but it paid $16 million tax last year — and it has paid $48 million this year. As it is only halfway through the year it is going to pay a bit more tax before it is through.

This is an organisation that is in quite sound financial health. What we know is that last year it took nearly $2 billion in premiums — $1.92 billion in premiums from Victorian employers. We have had a very strong economy here because of the fine policies of the Howard government, and as a result of that we have had a continuing growth in employment and the lowest unemployment Australia has seen in a very long time.

We now have a strong scheme and the government does not wish to put it at risk. I say, ‘Good on ‘em’. Our view is that the Victorian scheme is a very good scheme. We put it in place and we made it work. The government has modified it and has mucked around with it, but overall we have a scheme that works in the interest of Victorians at work — the employers, the employees and the people who unfortunately get injured in the workplace. We often applaud many of the attempts to make it better, but sometimes we think it is a bit weird and a bit over the top. Basically we have a good scheme, and we do not believe it is in Victoria’s interests or in the interests of Victoria’s employers and employees for there to be an overall weakening of the scheme.

However, the Optus case is somewhat unique. Optus, a large organisation operating in all jurisdictions in Australia, is in competition with Telstra. Telstra came out of the federal government, is still 51 per cent owned by the federal government — what an odd circumstance — and is fully insured through the Comcare scheme. Its main competitor in this country is Optus, and Optus is competing according to eight state-based jurisdictions against a company that is operating in one jurisdiction. Frankly I fully support Optus’s right to go to the federal scheme. Optus has put
on the record that it thinks it will save $186 000 a month, or around $2.4 million a year, by doing that. My understanding is that the competitive advantage that Telstra enjoys because it operates under a single workers compensation and occupational health and safety regime is estimated at around $10 million a year.

In those circumstances, I have to tell you I do not have a problem about Optus going to the Comcare scheme. My understanding is that it makes very little difference to the benefits that will be received by Optus employees if unfortunately they are injured. What we do know is that it will make life a lot easier not just for the management of Optus but in many cases for the employees as well. This would allow Optus to compete on a level playing field with Telstra, allowing it to achieve the same competitive advantage by being subject to the same more efficient workers compensation arrangements.

I do not have a problem with that, but the government seems to think this is the thin end of the wedge. When you say to the government, ‘Tell us what the big fear is’, we are told that 18 per cent of our premiums are at risk. That is 20 per cent of $2 billion. A fifth of $2 billion is $400 million, and that is a lot of bickies. That is the figure that we have been advised of—that 18 per cent of our premiums would be at risk. You ask yourself how that can be, because if you look at the definitions of the commonwealth Safety, Rehabilitation and Compensation Act you will see that section 100, which governs who can go to the federal government scheme, says:

100. Minister may declare a corporation eligible to be granted a licence under this Part

If the minister is satisfied that it would be desirable for this Act to apply to employees of a corporation that:

(a) is, but is about to cease to be, a Commonwealth authority, or

(b) was previously a Commonwealth authority, or

(c) is carrying on business in competition with a Commonwealth authority or with another corporation that was previously a Commonwealth authority, the minister may, by a notice in writing, declare the corporation to be eligible to be granted a licence under this Part.

The guts of that is that Optus-Telstra case, the competition with someone that once was a federal government scheme or corporation, so we are talking about competitive neutrality. We are talking about competition.

**Mr Lenders** — What about a retailer with a finance wing?

**Hon. BILL FORWOOD** — Let us have a look at it.

**Mr Lenders** — Kevin Andrews is adventurous.

**Hon. BILL FORWOOD** — We will see how adventurous he is. What I am advised is that there is a set of guiding principles to assist the minister in deciding whether to grant an application to be eligible under section 100 of the Safety, Rehabilitation and Compensation Act. These are: likely impact on the employees of the applicant, likely impact on the applicant, likely impact on the integrity of the commonwealth workers compensation scheme and likely impact on the operation of the state and territory schemes.

As I said, we were advised that the government believes that 18 per cent of its premiums are at risk, and the advice states:

Companies eligible to exist As a general rule the employers who would be likely to swap over would come from amongst those employers who self-insure under state arrangements already, and some others who insure but fit the profile that would be likely to clear the entrance hurdles—that is, those larger employers who can demonstrate that they compete with a current or previous commonwealth enterprise and have a presence in more than a few states. There are currently about 40 employers who self-insure under the VWA, generally industries like banking, manufacturers and transport/airline companies.

I guess Virgin airlines might come along and say, ‘Qantas is a federal government organisation, therefore we want to go out of this scheme into other schemes’. I would be surprised if the banks came along and said they wanted to go there. The Commonwealth Bank, which came out of the federal government, is not part of Comcare.

**Mr Lenders** — It could be.

**Hon. BILL FORWOOD** — It could be, but it is unlikely to be.

**Mr Lenders** — It depends on what Kevin Andrews wants to do.

**Hon. BILL FORWOOD** — You think Kevin Andrews — —

**Mr Lenders** interjected.

**Hon. BILL FORWOOD** — No, I am genuinely asking the minister. We do not want to see a diminution of the system. We do want to see it made easier for companies to operate across boundaries. I think we all agree with that and I am sure the minister would as well. We would look for there to be some energy and
Mr Lenders — Name them.

Hon. BILL FORWOOD — South Australia, New South Wales — how many more do you want?

Mr Lenders — I was going to name them for you.

Hon. BILL FORWOOD — Thank you, Minister. I believe there is a fair amount of tilting at windmills in the government’s response to this. I am not sure that this is not a jump too far. I would have preferred to wait until the High Court case had been dealt with. Then we could have dealt with these matters as they came through in that particular manner.

I am slightly uneasy about the way this is being done. It seems to me to be an overreaction and a touch heavy-handed. I think there is some validity in ensuring that people who do leave are responsible for whatever may be left behind. I do not particularly have a problem with some sort of system like the one the government has put in place to deal with the tail claims. My understanding at the moment is actuarial assessments indicate that there will not be a large up-front payment in the case of Optus, but it is possible that if there was that may deter some persons who did achieve eligibility to transfer from doing it. On balance I do not particularly mind about that.

On the section 85 provision, we had a long discussion this morning in this place about hypocrisy. If ever there was a bunch of hypocrites it is the Labor members who complained about our use of section 85s but now seem to use them infinitum. I would have thought that there needed to be some better mechanism than the one in the legislation to enable the settlement of a dispute with Optus, for example, which will now be caught by this. Because of the government’s house amendment in the other place which deems this bill to have started on 19 May rather than 1 July. I would have thought there should be some better mechanism that at the end of six years would have enabled Optus to make sure that it had not been duded by this scheme.

The final bit I want to touch on deals with the occupational health and safety side of this. We are ensuring not only that self-insurers and people like this deal with the tail claims, but that they pay a contribution towards the occupational health and safety regime. I do not think anyone can particularly object to that. My understanding is the federal government is moving in the direction of bringing in its own occupational health and safety regulations. If that is the case, it will be interesting to see if we get into a jurisdictional war over it and whether that war extends to the capacity of the state to require an organisation such as Optus or someone who has moved schemes to pay a contribution towards occupational health and safety compliance organisations in two jurisdictions — that is, through the commonwealth and through a state. I guess we will discover that at a later date.

The government has been a bit heavy-handed in the way it has gone about this. We support national consistency for occupational health and safety and for workers compensation and we hope the Victorian government is working closely with the federal government and other governments on the Australian Safety and Compensation Council. We look forward to seeing the work that comes out of that. However, I think there needs to be a greater focus on getting consistency and uniformity among the state and territory schemes. A lot of this work came out the work of the Productivity Commission recently.

What I am interested to think about, though, is there must be people who are moving their operations out of Victoria all the time. I can think of a number of textile companies which have gone elsewhere and nobody required them to leave their tails behind, as I understand it. I also refer to abattoir companies. I can think of a number of abattoir companies that have gone out of business. No-one is looking after their injured workers, and yet the whole of the industry that is left behind is dealing with that. We all know how much the premiums in the meat industry are going up. Even the good industries which have impeccable records of safety are being slugged because of this long tail that remains after the failure of these firms. I am not sure that the government is being highly consistent in its attempts to just deal with this in relation to firms that are leaving to go to the federal government scheme.

In the couple of minutes left to me before I wind up for dinner — as I said, I look forward to being back in committee some time soon — I want to comment on the Victorian WorkCover Authority’s desire for third-party recoveries. This matter is everywhere at the moment. Although this bit was not used, I said in a television interview on Saturday night that everybody knows that in 2002 third-party recoveries were $30 million. In 2003 they were $35 million — in other words, there was a slight increase. In 2004 they were...
$65 million — they jumped by $30 million as a result of a deliberate policy of the Victorian WorkCover Authority to chase third-party recoveries. We anticipate this year they will be over $100 million because the VWA has decided, in the interests of the viability of the scheme — the very reason we are debating the legislation before the house today — that it will screw the most vulnerable people in our society. They are partly after the labour hire industry, but they are after anyone where they reckon they can get a buck back.

Now they have done people like the Krupjaks and we have a circumstance where there is grave concern among the 65,000 families in Victoria which receive some sort of in-house, in-home care, be it through home and community care (HACC), be it through aged care, be it through disability services. These people are now at risk of being sued by WorkCover for a third-party recovery for any incident that takes place in their home. The VWA has decided that a home is a workplace if a carer goes in there. I do not believe people should be bitten by dogs as they go to work, nor do I believe that the TAC very quickly coming to a resolution of this case can be made out. I do not think that is the circumstance on this occasion. It is true that some people who have been making hearing claims have undoubtedly been engaging in fraudulent activities and that should be stamped out. The Nationals certainly support that, as does Mr Forwood. But on the other hand it does seem to us to be unreasonable and unfair that, if there was a deficiency in the legislation or the government got it wrong and some people have taken advantage of that, they should be denied that opportunity. They were sufficiently assiduous to work within the law as it was passed, even if that was not entirely what the government intended at the time. I indicate that The Nationals will support Mr Forwood’s amendment in the committee stage.

Of the other provisions in the bill I particularly look forward to that which addresses cross-border situations involving workers compensation. I know my colleague Mr Bishop and others who have electorates that border the Murray River have on numerous occasions had cause to have very lengthy discussions with officers of the WorkCover authority, with New South Wales bureaucrats, with constituents and with injured workers, and I am not at all certain that these amendments are going to entirely rectify the problems we have had. I certainly hope they do, and I have no reason to believe they will not, but I think the proof of the pudding is going to be in the eating. I certainly look forward to a quieter life than perhaps we have had on occasions.

The ACTING PRESIDENT (Mr Smith) — Order! Now is an appropriate time — —

Hon. BILL FORWOOD — I have 22 minutes to go and I am winding up. Give me 30 seconds and we will go to dinner.

The ACTING PRESIDENT (Mr Smith) — Order! If the member is winding up, that is an appropriate request.

Hon. BILL FORWOOD — I had three words to go. I look forward to the Minister for WorkCover and the TAC very quickly coming to a resolution of this problem and putting it out into the wider arena so people can take some comfort about this situation. I commend the bill to the house.

Sitting suspended 6.31 p.m. until 8.07 p.m.

Hon. W. R. BAXTER (North Eastern) — I want to acknowledge the speech made by the Honourable Bill Forwood before dinner. I think Mr Forwood gave the house a thorough run-through of the provisions of this legislation, and I indicate that, similarly to the opposition, The Nationals are supporting the legislation, although we will be supporting the amendment Mr Forwood intends to propose during the committee stage which deals with an aspect of retrospectivity in the bill. Retrospectivity in any legislation is almost invariably repugnant. I think the Parliament should only accept and agree to retrospective provisions in cases of the most dire necessity and where a very convincing case can be made out.

I do not think that is the circumstance on this occasion. It is true that some people who have been making hearing claims have undoubtedly been engaging in fraudulent activities and that should be stamped out. The Nationals certainly support that, as does Mr Forwood. But on the other hand it does seem to us to be unreasonable and unfair that, if there was a deficiency in the legislation or the government got it wrong and some people have taken advantage of that, they should be denied that opportunity. They were sufficiently assiduous to work within the law as it was passed, even if that was not entirely what the government intended at the time. I indicate that The Nationals will support Mr Forwood’s amendment in the committee stage.

Of the other provisions in the bill I particularly look forward to that which addresses cross-border situations involving workers compensation. I know my colleague Mr Bishop and others who have electorates that border the Murray River have on numerous occasions had cause to have very lengthy discussions with officers of the WorkCover authority, with New South Wales bureaucrats, with constituents and with injured workers, and I am not at all certain that these amendments are going to entirely rectify the problems we have had. I certainly hope they do, and I have no reason to believe they will not, but I think the proof of the pudding is going to be in the eating. I certainly look forward to a quieter life than perhaps we have had on occasions.

Hon. B. W. Bishop — Mr Baxter will get fewer phone calls from me.

Hon. W. R. BAXTER — Yes, and that will be a relief. Following the Balogh case and the question of whether benefits can continue beyond 104 weeks, I do not think there is any doubt on either side of the argument, whether you are the defendant or the plaintiff, that it was always the intention that benefits would cease after 104 weeks. It seems to me that the Court of Appeal decision was made on a technicality — the court felt that it had to so rule. But I see this as simply returning to what everyone believed it to be and everyone I think intended it to be, so there can be no objection to that matter.
I suppose the most important provision in the bill goes to the issue of large employers who are exiting the Victorian scheme to take up the offer of the commonwealth to be insured under the commonwealth legislation. I think I can understand the concern of WorkCover about significant numbers of employers making this transition. I acknowledge that it is not open to everyone; you have to meet certain criteria before you can in fact transfer. There seemed to be a little bit of argy-bargy across the chamber between Mr Forwood and the minister as to how wide that definition was going to be made over time. Time will tell in that respect as well, but it seems to me that there is an issue of critical mass in terms of the Victorian scheme, and if large employers were to transfer that would weaken that critical mass. The scheme itself would be undermined if there were tail claims left over which ended up costing the Victorian scheme far more money to run out than had been calculated when the injury was first sustained.

I support the notion that there has to be some means of dealing with that situation so that the Victorian scheme is not undermined by tail claims costing more than was anticipated, while the employers whose employees incurred those claims have already left and gone off under the commonwealth scheme. Despite the very complex formula that is in the bill — and I certainly do not profess to understand it at all; it is not my job to understand it and I do not get paid to do that; expensive actuaries get paid to do it — I think it is a reasonable provision that ought to be included in the bill.

I want to also note at this point that it is fair that there be some means of collecting from firms that exit to go to the commonwealth scheme some sort of compensation for the occupational health and safety aspects and regulatory systems that WorkCover has in Victoria, because clearly those companies will still be under the umbrella of the Victorian Occupational Health and Safety Act, which is administered by inspectors employed by the Victorian WorkCover Authority. Clearly there is a cost involved there and there ought to be a fair recompense; otherwise other employers have costs imposed upon them inequitably and unreasonably. So I have no objection to that at all.

I want to make a comment or two, though, on premiums. We have often heard it said that we now have the second-lowest WorkCover premium in Australia, and I think that is true. There have been a couple of reductions in premium over the last two budgets, and that is very welcome. It is also noted that the scheme had a surplus of some $1 billion this year, that it has already paid $48 million to the Treasury, and I understand it is anticipated that it will pay at least that again. So it is becoming somewhat of a cash cow for the Treasury, I think you could say.

Premiums ought to be declining, because so much emphasis is now being placed upon occupational health and safety, and rightly so, that surely injuries must be reducing. That is a matter of logic if we have safer workplaces — and I believe we have because there is a much better culture in the community now, both among employers and employees about the necessity of conducting themselves in a safe manner and workplaces needing to be safe places of operation. So clearly if claims are not reducing, all this work that is being done is being counterproductive. I do not think that is the case. If you look at the statistics you will see that back claims are down something like 6.5 per cent over the last four years and that claims for fractures are declining as well. That is to be expected if the campaign that the government has been waging is having the desired effect. I am very pleased to see that. That has clearly enabled the reduction in premiums and I hope it will enable further reductions in premiums in subsequent years.

What I am concerned about, though, is the startling rise in claims for stress-related complaints. Last year there were 2912 Victorians who came within that category, compared with less than 2500 four years ago. So we are seeing a reasonably steep incline in the number of claims for stress. It seems to me that stress is a complaint that is very hard to diagnose. I have always thought that back injuries and back pain and soft tissue injuries are always very hard to quantify and to diagnose as well, and there is an opportunity for rorting. I do not think there is any doubt that there has been a degree of that over all the years that I have been involved as an employer. But I am especially concerned that stress is becoming the new repetitive strain injury (RSI).

We all remember the circumstances of repetitive strain injuries about 10 or 15 years ago, where they became very fashionable. Many people were going off on claims on the basis of RSI, and eventually it was found, and proved, that many of those claims could not be sustained. I have to say that I fear that stress is the new RSI. I think it will need very careful attention by the authority to make sure that this does not get out of hand. There is no doubt that fashion is a funny thing. If people discover that others are getting away with claims on this basis, they will think they can have a go at it as well, and a percentage will get through the gate in an unwarranted fashion. It is the employer who will bear the burden, but eventually it will be the community at large because costs go up, businesses
struggle and jobs are lost — and the community pays in the end.

Even if stress were acknowledged to be a valid complaint, of course it is very difficult to identify the cause of the stress. I do not concede for one moment that it is necessarily because of the workplace environment. While getting a broken arm by falling off a ladder might well be obviously sustained in the workplace, stress, if it does exist — and I am one of those who often wonders what the definition of stress is — can presumably be caused by family situations, family break-ups, the pressures of a mortgage, living beyond your means, or other illnesses that are not related to work. I expect there can be a whole range of things that might generate stress. What I am saying is that if we are not very careful indeed, stress will become a sort of catch-all provision and for anyone who is sick of work and thinks they can organise a few weeks off, stress will be the claim they will make. I was somewhat alarmed to see in recent publications that of the nearly 3000 stress-related claims last year, the average payout or cost to the authority was something like $40 000. That is a staggering amount of money. It is an indication of how this sort of claim, if it got out of hand, could quickly undermine the financial viability of the scheme.

I indicate that The Nationals are happy with the legislation. We commend the Victorian WorkCover Authority and its board and senior staff. I think they are doing a very, very good job in reducing workplace injuries, in changing the culture in our workplace, and in administering a pretty tight ship. I certainly wish them well, but I repeat my concern that stress is an issue that needs to be watched very closely in the immediate future.

Mr VINEY (Chelsea) — I rise to support the bill before the house which amends the Accident Compensation Act with three important provisions. The first, of course, is to protect the WorkCover scheme from the impacts of employers who choose to exit the Victorian WorkCover scheme to join the commonwealth Comcare scheme; the second is to remove retrospectively the financial risk to the scheme posed by the Court of Appeal’s decision on weekly payments in the Balogh case; and the third is to ensure that the Crown is subject to the criminal liability provisions of the Accident Compensation Act.

Protecting the WorkCover scheme is vital not only for the government but for every employer and for all workers in this state. It has been this government that has been able to bring down the costs of the scheme to employers at the same time as maintaining and improving the benefits paid to injured workers and ensuring that they are fairly compensated. It is this government’s determination to defend the position of the Victorian WorkCover scheme. We intend to do that and to not allow the scheme to be undermined by some of the perhaps more ad hoc innovations of the federal Comcare scheme which could in fact undermine the viability of Victoria’s WorkCover system.

The Victorian WorkCover scheme is Australia’s best-managed scheme and the best-performing workers compensation scheme. The reforms we are putting in place will make sure that employers who go to Comcare will contribute to the costs of keeping their workplaces safe and looking after their injured workers. A rapid expansion of the Comcare scheme to include higher risk industries than its current white-collar industry base could place new pressures on the scheme, causing even more uncertainty around its medium-term outlook.

While we have put downward pressure on premium rates, the commonwealth scheme is another matter. We have the second-lowest average premiums in the country at 1.8 per cent while at the same time we are delivering an equitable regime for workers. By managing our scheme in a responsible way we are providing the first-class system that Victorian workers and businesses deserve. It is important that we put in place some of the provisions in this bill to protect the Victorian WorkCover scheme. Specifically these provisions include making exiting employers liable for up to six years for any increase in the claims costs relating to pre-exit injuries. It also provides a benefit to employers who exit the scheme if their costs fall. The bill enables the Victorian WorkCover Authority to charge Comcare self-insurers a fee for occupational health and safety regulation by the VWA and ensures that the authority can continue to collect occupational health and safety data from Comcare self-insurers.

In relation to the *Balogh v. Shire of Yarra Ranges* case, the Court of Appeal determined that without a formal 104-week notice it had no jurisdiction to consider a worker’s entitlements and that therefore the worker was entitled to continuing weekly payments. This decision overturned what had been common practice and the understanding of the provisions in the scheme. The amendments proposed in this legislation will make sure that the provisions put in place retrospectively with this legislation are consistent with what has been understood across the whole sector of employers and employees to be common practice. It will ensure that the scheme complies with what has been commonly accepted practice. If we did not do this it is possible that back payments totalling up to $100 million could be...
ACCIDENT COMPENSATION (AMENDMENT) BILL

Wednesday, 15 June 2005

COUNCIL

future liabilities, imposing an enormous financial burden on the Victorian WorkCover Authority. It would also give unintended windfalls to many claimants.

The third set of changes I refer to this evening relate to the Crown immunity provisions. These changes bind the Crown to the criminal liability provisions of the Accident Compensation Act 1985. They ensure that obligations under workers compensation legislation will apply to all employers in the state of Victoria, whether in the private sector or the public sector. Workplace safety is of vital importance for everyone, and it is something that this government will work to protect.

As Mr Baxter mentioned there are also provisions in relation to cross-border matters that remove the inconsistency between the cross-border treatment of claims and the liability for premiums. Employers located in regions near borders will benefit in that they will no longer be liable for multiple payments to cover these workers. By simplifying compliance for employers and employees working in other jurisdictions we are providing greater certainty for business, which will help to continue to drive down costs.

I acknowledge the support of The Nationals for the legislation. I think there was support from the Liberal Party, and we appreciate the facilitation of this legislation through the house. It is important legislation that will continue to protect workers in their workplaces and ensure at the same time that employers are able to provide that protection to their workers in conjunction with the scheme run by the government on their behalf in a very efficient manner. That will help them to continue to compete efficiently and effectively, not only in Victoria but in national and international markets. I commend the bill to the house.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1 agreed to.

Clause 2

Hon. BILL FORWOOD (Templestowe) — I move:

1. Clause 2, line 30, after “4” and insert “5,.”

The second amendment deletes subclause (3). The effect of the amendment is to take out the backdating of the hearing loss provisions, which I covered in some detail in my second-reading contribution. I do not intend to go over that again. The opposition does not object at all to attempts to ensure that the legislation dealing with hearing loss is sound and robust. The opposition is concerned that if we made a mistake as a Parliament, and I think we did last year, we do not have the right because of our error to take away the rights of people who have acted in accordance with the law as it currently exists. We have been advised by the government there are approximately 20 people in this circumstance who will have their rights taken away. We do not believe that these 20 people will put this scheme at risk.

I make the point again that the premiums last year were $1.92 billion and the scheme made a profit of over $1 billion. I do not think that 20 people with hearing loss claims will bankrupt the system. My strong belief is that the government should say that the interests of natural justice and fairness are paramount over and above the almighty dollar, which this government seems to worship, and that in those circumstances it should accept the amendment brought in good faith by the opposition so that these 20 people, whoever they may be, will at least have the law apply to them as it was and not backdated as a last attempt by the government to get this issue right. I look forward to the wholehearted support of all members of the government in this chamber.

Mr LENDERS (Minister for Workcover and the TAC) — I certainly appreciate where Mr Forwood is coming from, I appreciate the cooperation of both the Liberal Party and The Nationals in addressing the provisions in this bill and I appreciate the focus being on this single clause in the committee stage, where Mr Forwood has an issue. As has been identified, there were 60 people in the original group, of which 40 have been settled or dealt with and approximately 20 are outstanding. There are a couple of issues that arise. Mr Forwood made a submission about the state of the fund and a range of other things. While we could have a debate on that at another time, which I would be delighted to do, the material issue here is how we deal with the situation where there has been a need to remedy legislation and we identify approximately 20 people who are outstanding.

The response from the Victorian WorkCover Authority and the government is that, firstly, we want to look at those individual 20 cases and see where claims have been made and proceedings have been issued. My understanding is that the Victorian WorkCover
Authority will look at bearing the workers’ costs in those proceedings. We would want to look at them case by case obviously. The second issue is: how many of those 20 have commenced proceedings? It is a material issue if people have commenced proceedings, going to Mr Forwood’s point on natural justice, and you would obviously look at them differently had they not commenced proceedings. Although we understand where Mr Forwood is coming from and what he is seeking to do, and although we appreciate his assistance in this area, the government will not be supporting the amendment because we believe the 20 people will be adequately dealt with by the number of tests that I have referred to that would address the natural justice issues Mr Forwood raises and will address them adequately. For those reasons, while appreciating the good spirit in which the amendment was moved, the government will not support it.

Committee divided on amendment:

Ayes, 19

Atkinson, Mr
Baxter, Mr
Bishop, Mr
Brideson, Mr (Teller)
Coote, Mrs (Teller)
Dalla-Riva, Mr
Davis, Mr D. McL.
Davis, Mr P. R.
Drum, Mr
Forwood, Mr
Hadden, Ms
Hall, Mr
Koch, Mr
Lovell, Ms
Olexander, Mr
Rich-Phillips, Mr
Stoney, Mr
Strong, Mr
Vogels, Mr

Noes, 22

Argondizzo, Ms
Broad, Ms
Buckingham, Ms
Carbones, Ms (Teller)
Darveniza, Ms (Teller)
Eren, Mr
Hirsh, Ms
Jennings, Mr
Lenders, Mr
McQuilten, Mr
Madden, Mr
Mikakos, Ms
Mitchell, Mr
Nguyen, Mr
Pullen, Mr
Romanes, Ms
Scheffer, Mr
Smith, Mr
Somyurek, Mr
Theophanus, Mr
Thomson, Ms
Viney, Mr

In so doing I thank the house for its support on this and particularly thank all members for their cooperation in getting a considered and speedy response to this legislation.

The PRESIDENT — Order! I am of the opinion that the third reading of the bill requires to be passed by an absolute majority. In order that I may ascertain whether the required majority has been obtained, I ask the Clerk to ring the bells.

Bells rung.

Members having assembled in chamber:

The PRESIDENT — Order! So that I may ascertain whether the required majority has been obtained, I ask members who are in favour of the question to stand where they are.

Required number of members having risen:

Motion agreed to by absolute majority.

Read third time.

Remaining stages

Passed remaining stages.

COURTS LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL

Introduction and first reading

Received from Assembly.

Read first time on motion of Hon. J. M. MADDEN (Minister for Sport and Recreation).

DANGEROUS GOODS AND EQUIPMENT (PUBLIC SAFETY) ACTS (AMENDMENT) BILL

Introduction and first reading

Received from Assembly.

Read first time on motion of Mr LENDERS (Minister for WorkCover and the TAC).
second reading

Debate resumed from earlier this day; motion of Mr LENDERS (Minister for Finance) and Mr LENDERS’s motion:

That the Council take note of the budget papers 2005-06.

Ms BROAD (Minister for Local Government) — It gives me great pleasure to rise and join this debate in support of the state budget of 2005–06. It is a great privilege to have this rare opportunity as a minister to join in the budget debate and speak in support of this budget which is all about delivering prosperity and opportunity to Victorians including regional Victorians. This budget is also about making Victoria a better place to live and raise a family. I am very pleased to have the opportunity to outline those aspects of the state budget which particularly pertain to my responsibilities for the housing and local government portfolios.

In commencing with the housing portfolio, I would like to draw attention to a number of initiatives in the budget which are particularly about making Victoria a better place to live and raise a family. In the area of affordable housing there are a number of initiatives in the state budget which are about expanding the supply of affordable housing for low-income Victorians. A total of almost $165 million will be allocated for 2005–06 for the acquisition of public community and affordable housing units. In 2005–06 over 790 new homes will be delivered in areas of strategic importance under the Melbourne 2030 government strategy as well as in regional Victoria. Stock growth in 2005–06 will be funded through new budget provisions as well as though the ongoing commonwealth-state housing agreement funding. This government is also committed to improving the quality of public housing. As a result a further $151.5 million has been allocated to improve the quality of public housing and to provide more opportunities for Victorians with a disability.

In the area of growing social housing, new funds of almost $40 million over four years have been allocated, with an additional $9.9 million in 2005–06 to expand the supply of affordable housing. This will be combined with $10 million of new funds made available in the 2004–05 year, to construct modern, new apartments and family homes focusing on areas where housing affordability is low, especially in the inner areas of Melbourne.

In addition, $50 million over two years has been allocated to increase Victoria’s social housing stock. This has been announced, and some $20 million will be used to pursue a new housing initiative to create more low-income housing for Victorians. This initiative is called Building More Homes Together. The government believes that by working with the private and the non-government sectors this project can deliver additional social housing units in the metropolitan areas of Melbourne, as well as in regional Victoria.

Some $70 million has been allocated and announced for the strategy for growth in housing for low-income Victorians. Of that, $47 million has been allocated for the 2005–06 budget. This is about boosting the capacity of housing associations. It is a Bracks government initiative which we believe will further expand the supply of affordable housing. In 2005–06 the $47 million that has been allocated will be provided in the form of grants to not-for-profit housing associations to assist them to acquire additional stock. Building on the very successful experience of the government through the social housing innovations program, which involved partnerships between the government and the not-for-profit sector, the government believes that by furthering these partnerships with the inclusion of the private sector it will be able to provide more affordable housing options and, importantly, more choices for low-income Victorians.

The quality of public housing is a very important issue and it is a commitment this government has made. Under the Bracks government there has been a 50 per cent increase in spending on improving the quality of public housing compared with the previous government.

Hon. D. McL. Davis — Nonsense. Tell us about the Scotts.

Ms BROAD — I repeat for the benefit of Mr Davis that there has been a 50 per cent increase when you compare the last five years of the former Kennett government with the first five years of the Bracks government in terms of expenditure on improving the quality of public housing, and that speaks for itself. A further $148.5 million will be used to make tenants in metropolitan Melbourne and regional Victoria safer and more comfortable, as well as ensuring that very valuable housing stock is well maintained so that the very substantial investment made not only by the Bracks government but by former governments is protected. This is about good financial management.

In addition to those initiatives I draw attention to the expansion and extension of the neighbourhood renewal program, another very significant initiative of the Bracks government. In the 2005–06 budget some
$3.25 million has been allocated, and taking into account the forward estimates some $29.78 million has been allocated over the next four years. This expansion and extension of neighbourhood renewal will benefit not only metropolitan Melbourne, it will also benefit regional Victoria because in addition to the 15 existing neighbourhood renewal projects in regional Victoria and metropolitan Melbourne a further four neighbourhood renewal areas will be supported, and some of those projects will be in regional Victoria.

In 2005–06, $1.67 million will be invested to expand neighbourhood renewal projects in additional communities across Victoria, and some $1.58 million will be allocated in 2005–06 to extend funding for the existing 15 neighbourhood renewal projects. That will ensure that neighbourhood renewal projects which have been progressively commenced over the first two terms of the Bracks government can be extended so that they can continue for a total of eight years. We believe that period of time will ensure that the very substantial benefits enjoyed by communities which are the recipients of neighbourhood renewal programs can be sustained into the longer term. This is what neighbourhood renewal is all about — ensuring that very disadvantaged communities are able to receive the benefits of not only the very substantial investment in physical infrastructure but also the opportunities that come with it in the form of jobs and services in health, education and transport.

In addition to those initiatives I also wish to draw attention to the new approach to family violence which has been funded through the 2005–06 budget and which was announced as a part of the A Fairer Victoria package in the lead-up to this year’s budget. As a result of this initiative, which is being funded through a package of just over $35 million, we will see a new way of thinking and working in relation to addressing family violence. For the first time women and families escaping from family violence will get access to a 24-hour, 7-day-a-week support system right across Victoria, because presently these services are not available in parts of Victoria. We think it is very important for the communities that need access to these services. In addition to the extension of services across Victoria, we will also see improvements in case management to ensure that the most difficult cases, and the families in greatest need, will receive the most help through the direction of resources to meet their particular needs. There will also be a range of other initiatives through this package, including ones to support young men exhibiting violent behaviour to assist them to change that behaviour and to break the cycle of violence.

Importantly, there will also be new choices open to women and women with children escaping from family violence in terms of accommodation to ensure that women are able to make the choice of staying in their own home and having the perpetrator being required to leave, through to the option of secure refuges when it is necessary for women to take up that option for safety reasons. But in those cases where it is a safe and viable option for women to remain in the family home with all of the support that is open to them in their communities, we think having that option will be a very important addition to the current choices.

In addition I would also like to draw attention to some initiatives which will be of benefit to local government. It will include some support being provided to councils through the 2005–06 budget in order to assist them in their very important planning role. This will mean that councils will be supported to undertake their responsibilities in the area of social planning. It will be a partnership with the state government. In the short amount of time remaining I would also like to draw attention to another important initiative in my portfolio: a new area of responsibility in relation to neighbourhood houses which is in the process of being transferred to the Department for Victorian Communities. This initiative will see new neighbourhood houses established, and it will also see existing neighbourhood houses given additional support for coordination and support —

The ACTING PRESIDENT (Hon. H. E. Buckingham) — Order! The minister’s time has expired!

Hon. T. C. THEOPHANOUS (Minister for Energy Industries and Resources) — It is a pleasure to rise to speak on the budget because it delivers to the people of Victoria in so many ways. I am not going to spend the time that I have talking about the budget in the broad, although I must say that as a budget it delivers in that Victoria has again retained its AAA credit rating while at the same time delivering in health, education, transport, community services, police and a range of other portfolio areas. However, I want to talk about the way in which the budget has allowed some groundbreaking initiatives in my own portfolio area, and in particular I want to talk about the major investment which the state is making in a vote of confidence in the government’s capacity to find answers to our energy needs in an environmentally appropriate way while still finding a way to use our brown coal reserves.

In Victoria it is estimated that we are in the fortunate position of having in the order of 500 years worth of
brown coal reserves in the Latrobe Valley. In energy terms it is actually greater than the North West Shelf. So this massive resource is available to the people of Victoria, and contrary to what people might think, brown coal is not a dirty fuel in so many important ways. It has low levels of ash; it has low levels of sulphur content; it has very few of what you might call ‘the nasties’ that might appear in some other forms of fossil fuel that are around. However, it has one significant drawback: it has a very high water content and as a consequence, when we burn brown coal in order to produce electricity, we also create a significant amount of CO₂ which goes into the atmosphere. Of course CO₂ is one of the six greenhouse gases identified in the protocols in relation to Kyoto, and one which we should be aiming to reduce. As I have indicated, it is not the worst of the gases that is being monitored under the Kyoto protocols, but it is certainly one of the six greenhouse gases.

So the challenge which we faced as a state, and which I took to cabinet and to the expenditure review committee, was a very simple one. It was a challenge to us as a government to see how we could use this huge reserve of brown coal in the Latrobe Valley in a way which would open up this resource for the future of our children without compromising the environment. As a result the government decided — and I want to congratulate the Treasurer for having made this decision in the context of what is always a range of priorities that governments have to deal with for spending in so many other areas — to commit $103.5 million to try and work out ways in which we can use brown coal in a more environmentally appropriate way. I think that is a brave thing for a government to have done. In fact we are the only state government that has made this level of investment towards trying to find the solutions from a technology point of view.

I have said before in this house — and I am certainly happy to repeat it — that there are effectively two routes along which we have to go to address the greenhouse or environmental issues from the point of view of the state. One of those routes involves technology and the use of technology in order to reduce emissions or to find other more environmentally friendly ways of producing energy, whether it be through wind farms, through other forms of renewable energy or by reducing emissions in brown coal or other types of power stations. There is what is called the technology solution. The second part of the solution is to have commercial drivers, market drivers, which will encourage companies to set about reducing those emissions and making those investments that are necessary in order to reduce them. From the point of view of this government, we have decided to pursue both those tracks.

Hon. D. McL. Davis — When did you last make a budget speech? What year was it?

Hon. T. C. THEOPHANOUS — In that regard we differ from the commonwealth government, because the commonwealth government has said that it was interested in looking at technology-related solutions but that it was not interested in market-related or commercial-related solutions, so it was not prepared to contemplate the use of an emissions trading scheme.

Hon. D. McL. Davis — Your last budget speech was in 1999, I think.

Hon. T. C. THEOPHANOUS — It was a very good one too, as I recall.

Hon. D. McL. Davis — I remember quite a few of them.

Hon. T. C. THEOPHANOUS — I am sure you do.

The ACTING PRESIDENT (Hon. H. E. Buckingham) — Order! Through the Chair!

Hon. T. C. THEOPHANOUS — Of course we know this current state opposition has also wimped it when it comes to emissions trading schemes. It is not prepared to stand up and say, ‘Yes, it is a good idea for us to sign on to an emissions trading scheme’, which is really in the end the only mechanism that will work in terms of having a market mechanism that will get the players in the field, the big generating companies, the retailers and others to make the investments that are necessary in order to reduce their emissions. The federal government — John Howard — has said no to emissions trading. John Howard has said no to Kyoto, and he has said no to one other aspect which is even more concerning — that is, renewable energy.

Hon. D. McL. Davis — No, he did not.

Hon. T. C. THEOPHANOUS — That just shows how little Mr Davis knows about it, because what happened was that the federal government commissioned a report on the mandatory renewable energy target (MRET) scheme. The report came down and it said the MRET scheme should be expanded so that we can get more renewable energy in this country. The federal government rejected the recommendations of its own committee and decided, instead of pursuing those recommendations, to effectively curtail the MRET scheme, which will mean a reduction in the
available renewable energy that will be produced in this country. It has said no to renewable energy, to Kyoto and to an emissions trading scheme — and we disagree with it on all three of those counts. However, it has put up a proposition for a $500 million fund which we as a state government want to access to develop technology that will reduce emissions in the future. One of the reasons we decided to put in the budget expenditure of $103.5 million was to try to access these funds from the federal government and to get the federal government to support large-scale demonstration plants in the Latrobe Valley.

Of the funds we have made available $83.5 million is specifically earmarked for large-scale demonstration plants. Why do we need these large-scale demonstration plants? At the moment what you get with new developments in technology — and there is a lot of promising technology to reduce emissions in brown coal power stations — is that promising technology tends to be at the pilot stage. You might get a very small pilot scheme which seeks to prove the technology, but there is a big gap between having a pilot scheme that tests a particular type of technology and having a full-scale, operational power plant that does the same thing. To cite one example, the government has put a significant amount of funds into a cooperative research centre (CRC) that has been looking at mechanical thermal expression, which is one technique for removing the water from the brown coal before it goes into the power station, thereby reducing the emissions. The problem is that the pilots that have been conducted have been very small scale, and it is very difficult to go from that to a full-scale, mechanical thermal expression project. What you need is something in between, a demonstration plant, but there is a great deal of difficulty in attracting funds for a medium-size demonstration plant. We want to try to prove our technology in coal drying, whether it be in mechanical thermal expression, coal bed drying or other forms of technology that we are interested in trying to prove up in respect of drying the coal before it goes into the power station.

We are interested in gasification technology whereby we transform the coal into gas and then use it in a gas turbine and reduce emissions by about 40 per cent in the process. So in all of these technologies there is a gap because funds are not available for these medium-range demonstration plants to effectively prove up the technology in order to get the full-scale plants built and constructed.

If you ask anybody in the investment community they will tell you that they will not invest in new technology unless it has been demonstrated in medium-sized demonstration plants as an interim step to making that full-scale investment. We have allocated $83.5 million for that project. However, it is not the only thing we are doing. We are also interested in smaller scale investment, so we have allocated $16 million for research and development of smaller scale projects to try to find ways of using energy more efficiently.

We have allocated $4 million in an emerging technology called geosequestration, a technology whereby we take the emissions from the power stations and put them underground in secure storage for potentially thousands and thousands of years. These kinds of emerging technologies may provide the answer to the future and show how we can use this massive resource in the Latrobe Valley in a more efficient way. This is not just a visionary idea about how we use this coal; it not only helps with the reduction of emissions, but it means you use less coal for every megawatt of electricity that you produce, so there is a conservation element to it. Efficiencies are gained in the mining of the coal and so forth, and therefore prices can be kept low.

This is a fascinating time in the energy sector, not only because of the initiatives I have had the chance to briefly outline to the house but also because of the exciting developments in the wind energy area as outlined in earlier statements I have made to the house. It is with great pleasure that I make this speech in support of this year’s budget: it is a great budget for the people of Victoria.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — It is a great pleasure and privilege to be able to speak on the 2005–06 Victorian budget. It is particularly enlightening to be able to speak to the opposition on many of our portfolio initiatives. A lot has happened over the past five years in relation to a whole array of budget initiatives, but tonight I want to speak on two areas. The first relates to the sport and recreation portfolio initiatives in the budget. If I have time I would then like to speak on A Fairer Victoria, a tremendous initiative announced in the lead-up to the budget and specifically funded in this year’s budget.

We are very pleased to be able to invest $20.4 million in sport and recreation infrastructure in this year’s budget. That builds on the community-based initiatives we have funded over many years and program areas that support state sporting associations, sporting academies across the community and the Victorian Institute of Sport. What we are seeing now is demand for more infrastructure and heavy demand for existing infrastructure. Demand for existing infrastructure is growing. That reflects positively on our program
investment and on the investment we are making in the Go for Your Life campaign. We have made that investment because we have to get more people out there, we have to get them to be more physically active and to participate in their own communities. It has been a very successful program. The recognition rate is very high and people appreciate that they have to make the move to get off the couch and get themselves involved. However, we are seeing a great deal of pressure being placed on a number of key facilities as a result of that. Therefore we have announced the allocation of $6.7 million in the budget to assist the Albert Park precinct. There is an enormous amount of demand because of what we do so well in Victoria. We participate well and we are involved in high numbers — I understand we have the highest rate of increase in physical participation of any state in Australia and have had for some years while this government has been in power.

In addition to the demand for community use of the likes of Albert Park, we are seeing added pressure being placed on the Melbourne Sports and Aquatic Centre, given that we have the Commonwealth Games next year. We have the continued demand of holding the grand prix in the precinct. The 2007 World Swimming Championships will be held — if not entirely, then partially — in that precinct. There will be additional pressures on those facilities over the next few years. When the previous government established the grand prix and the grand prix corporation it made a significant investment in the Albert Park facility to upgrade it for the community; however, some elements that needed to be completed were not completed. An example is the infrastructure that goes with the sprinkler system. Over the years we have seen that not making that simple investment at the time has come home to roost because of the increased demand. With the increased demand and increased pressure on the facilities we are seeing the facilities wear down a bit under the extra stress, which will be heightened by the additional use over the next few years.

That $6.7 million will see a $3.7 million upgrade of the Albert Park sporting and community facilities, and $3 million being spent on improvements to the sports and aquatic centre. The upgrades at the Melbourne Sports and Aquatic Centre will see new fitness equipment, new wave and toddlers’ pools and a refurbished reception area to assist with the increased demand expected with the completion of the new Commonwealth Games pool. In addition we will see the development that goes hand in hand with the Melbourne Sports and Aquatic Centre redevelopment for the Commonwealth Games come to completion. We will also see the Sports House development come together as probably one of the finest elite sports venues in Australia. That will combine with a fantastic community facility for use by what you would not necessarily describe as competitive sportspeople, but people who actively engage in walking, cycling, running or rowing around those areas. As part and parcel of that we are seeing huge demand, but strategic investment will see the facilities well used and also enhanced at a time when there will potentially be disruption. We are using that potential disruption as a great chance to do some of the redevelopment work that is needed in the precinct.

We will also see $3 million being contributed to the redevelopment of Whitten Oval as a community sport and recreation hub for the western suburbs. It is worth appreciating that some of the old Australian Football League (AFL) venues are being diminished because of the rationalisation of ground use. We are seeing fantastic usage of the Melbourne Cricket Ground, which allows for its redevelopment, and fantastic usage of Telstra Dome, but we are seeing the outer suburban venues and some of the inner suburban venues being diminished.

**Hon. D. McL. Davis** — What about Waverley?

**Hon. J. M. MADDEN** — However, we are seeing some tremendous outcomes where the clubs and the AFL are appreciating that they cannot be exclusive but have to be inclusive. Hawthorn is out there at what was Waverley Park, and we have been able to assist the Hawthorn Football Club and the AFL in maintaining their presence out there, although it is probably not to the liking of some members on the opposite side of the chamber. We will have the opportunity to redevelop those facilities for more adaptive community use and improved community outcomes.

That investment out at Whitten Oval is quite a strategic one. The handy thing is that along with the Western Bulldogs Football Club, the federal government and the City of Maribyrnong we have been able to have a partnership. If, say, the federal government contributed $10 million a sceptic might think that was a contribution by that government at election time to ensure that it got a couple of additional votes out in the western suburbs or that it might also have been a bit of a smokescreen for some of the similar contributions that it made to other venues of that size in some of the strategic marginal seats it needed at election time. That would be a sceptic’s point of view, but what I can say is that we will see a tremendous outcome out at Whitten Oval with this redevelopment, which will certainly assist in community building and provide an opportunity for neighbourhood renewal.
The other aspect of the budget contribution is the $10.7 million for stage 1 of the redevelopment of Melbourne and Olympic parks, which will include a new rectangular sports stadium. This is a contribution to seal what has been a gap in the state’s infrastructure for some time. I know that when the previous government was in power it did some initial work on a rectangular-pitch stadium. Whilst that progressed to some point, the stadium ended up not taking on a rectangular-pitch format but ended up being Telstra Dome at Docklands. That is not to lament the fact that we have got such a fantastic stadium in the city — a privately owned stadium on what was public land — but it says that we have had a glaring gap in the infrastructure for codes such as soccer, Rugby League and Rugby Union, which need a rectangular-pitch stadium. We have been very keen to get that facility started, and it would have been particularly important if we had been able to acquire the Super 14 team here in Melbourne. We will see that the planning work is done for this across the precinct to ensure that when at some stage after the Commonwealth Games we do launch into the building process for this facility the strategic work will have been done. The previous government built the Vodafone Arena, but it did not do strategic work right across one of the hallmark precincts for Melbourne, and hence we have seen the need for that to come about through this funding.

We are a government that is about inclusion in many ways, whether it be through sport and recreation, through community building, through our budget allocation or through the delivery of the Commonwealth Games. Whilst I would like to speak in a little bit more detail about the Commonwealth Games, they do not feature predominantly in this year’s budget allocation because those allocations were made in other years. What I can say is what has given me great heart as a member of the Bracks Labor government — that is, not only that we are doing a tremendous job in making Victoria a great place to live for all Victorians and in particular to raise a family — —

**Hon. Bill Forwood** — That is such spin!

**Hon. J. M. MADDEN** — What gives me great pride, and Mr Forwood will take heart in this, is the release of *A Fairer Victoria*, creating opportunity and addressing disadvantage. I know that Mr Forwood would like to take a pot shot at us. Even when one considers the stakeholders’ endorsement, the contribution they made by way of their endorsement reflects greatly on and is a significant point of difference between a Labor government and a conservative government such as the Tories on the other side of the house — —

**Hon. D. Mcl. Davis** — Who says we are conservative? We are Liberals.

**Hon. J. M. MADDEN** — I know Mr Davis does not think he is conservative, but I suggest he has a good look in the mirror from time to time. The initiatives in *A Fairer Victoria* will deliver $788.2 million over the next four years to tackle disadvantage and give all Victorians the best possible chance to achieve their potential and share in the many benefits our state has to offer. We have been through a period of enormous growth, and it is time to make that strategic investment to assist many of these people in Victoria who are subject to disadvantage. Not only is it a strategic time to do that, it is also iconic in the sense that it represents a point of difference between a conservative government and a Labor government. It also signals to the community that this is the start of making Victoria not only a greater and fairer place to be but also a much greater and fairer place to live.

I draw attention to a couple of pages in *A Fairer Victoria*. Page 64 deals with funding contributions. I will not go into great detail, but I refer to the breakdown of those figures across the 14 different strategy areas. Anybody who has read this document — I suggest opposition members read it in a bit more detail — would appreciate that this adds significant weight to what we are doing and is a point of great difference between this government and the previous government’s conservative rule. In the section entitled ‘Providing fairer access to services’ it is good to see at page 31 the subheading ‘Participation and inclusion at the Commonwealth Games’, which is a point of difference between us in terms of delivery of the Commonwealth Games. It says:

> Melbourne’s 2006 Commonwealth Games will promote values such as embracing diversity, respect for indigenous communities and participation by disadvantaged groups.

And there are four major elements highlighted. I could speak at great length on those but I will not because I have got limited time. They are issues that I have raised in the house before:

- Getting involved …
- Equal first …
- Respecting indigenous communities …
- Cultural Festival …

It then goes on to mention the fact that in terms of the games delivery it will allow for not only ticket prices to
start at $15 — and more than 54 per cent of those
tickets are priced at $60 or less — but 11 events will be
free to the public and ticket-holders will have free
public transport within Melbourne on the day of the
event. It does not matter whether it is
whole-of-government budget announcements, A Fairer
Victoria, sport and recreation or the Commonwealth
Games, I can say it gives me great pride to be a member
of the Bracks Labor government delivering in this
budget year.

Debate adjourned on motion of Hon. C. D. HIRSH
(Silvan).

Debate adjourned until next day.

ELECTORAL LEGISLATION (FURTHER
AMENDMENT) BILL

Second reading

Debate resumed from 18 May; motion of
Hon. J. M. MADDEN (Minister for Sport and
Recreation).

Hon. C. A. STRONG (Higinbotham) — It gives me
much pleasure to speak on the Electoral Legislation
(Further Amendment) Bill, because in truth you could
not have a more important piece of legislation for the
carriage and implementation of democracy and
freedom as we know it than legislation that sets out to
deal with the way democratic governments are elected.
In considering democratic governments, which brings
us to the functioning of this Parliament, it is very
interesting to reflect on what we have seen this evening
where the Minister for Local Government and the
Minister for Sport and Recreation have both made
contributions on the budget debate. My colleague the
Honourable David Davis has informed me that this has
not happened since 1905 — it is quite a unique
situation. In terms of the electoral legislation, which
sets out the democratic framework of how we are
governed, one questions why — —

Hon. David Koch — Acting President, I draw your
attention to the state of the house.

Quorum formed.

Hon. C. A. STRONG — I was saying before I was
interrupted how important the electoral legislation is, as
it defines our democratic processes and it defines
Parliament and how it will operate. Of course
Parliament is virtually the outcome of the electoral
legislation which we are discussing tonight. It is a great
travesty that the current Labor government talks so
much about the role of Parliament, about transparency
and about good government, and yet it does not come
into this Parliament to partake of debate. I was rudely
interrupted simply because there was not a quorum of
members in this house, and it is up to the government to
ensure that there is a quorum. There were virtually no
government members on the opposite benches. These
people who purport to believe in democracy, the rule of
law, transparency and the supremacy of Parliament
cannot even be bothered to come into Parliament to
hear about it. I must say that I am very pleased that
there are now government members in the chamber to
partake of the very important process of Parliament is.

As I was saying, we have seen in Parliament this
evening a quite unique situation where two ministers of
the Crown got up and talked on the budget. I think
everybody knows it is the responsibility of the
Treasurer in the other house to basically outline the
budget and to put it out there in public view to be
judged. It is his job as a member of the executive of
government to explain the budget and to make it clear. I
am asking myself why five members of the government
have been forced to come into this house and
essentially defend the budget. Why is that? Have they
got confidence in their Treasurer to do it? Do they see
that it is going down not well enough that they have
to come in here and spruik it? And who is listening to
it? Every other Treasurer for the last 70-odd years has
had the confidence to get up and sell his budget in the
house where the budget is delivered; every Treasurer
for the last 70 years has had the confidence to get up
there and let the budget speak for itself. Uniquely the
Treasurer we now have in this government needs the
support of his members in this house to get up and help
him sell the budget.

Hon. J. G. Hilton — On a point of order, Acting
President, I believe Mr Strong’s comments are totally
irrelevant to the bill before the house. I ask that he
speak on the bill.

The ACTING PRESIDENT
(Hon. H. E. Buckingham) — Order! Mr Strong is the
lead speaker, and as such he has a fair amount of
latitude in what he has to say. But I ask him to keep that
in mind and to speak on the bill. I rule the point of order
not in order.

Hon. C. A. STRONG — It is absolutely amazing
that a member of the government, when we are here
debating electoral legislation — the legislation that
defines our democratic system, of which this
Parliament is an essential element — thinks it is out of
order to talk about how ministers deport themselves.
We are talking about electoral legislation; we are
talking about how this house, this whole system, is run. I am talking about that, and the member says it is out of order. I think that shows a breathtaking ignorance of how the democratic process and parliamentary democracy works. As I said, it is absolutely an indictment of this government and an indictment of this Treasurer, and it shows great nervousness and a lack of confidence in the whole budget, that ministers have to come into this place and defend and bolster the budget of their Treasurer — a situation that has not happened within living memory.

I think it is very sad. I must say that if I were the Treasurer, Mr Brumby, I would feel quite nervous and concerned that the selling of the budget that I had done and that the budget that I had laid down had gone over so badly and was in such dire straits that it needed ministers in another house to come in and try to sell it. It is quite an amazing situation. I do not think it should go without notice that the poor Treasurer needs the support of the members in this house to bolster and sell his budget. I think it is very sad, and if I were him I would feel quite embarrassed and nervous. It cannot possibly go without remark.

As I said initially, you could not get a more important piece of legislation than the Electoral Legislation Bill, which sets out how members are elected to this and the other house and how this process is managed. When you reflect on the record of Victoria and Australia in being leaders in setting out electoral legislation you realise we have a very proud record. It needs to be said that Victoria was the first jurisdiction — the first in the world, I think — to introduce the secret ballot. For many years the secret ballot was known as the Victorian ballot. That is a very proud and important record. Australia and Victoria were among the first jurisdictions in the world to embrace universal manhood suffrage and to extend the vote to women. We have an enormously proud record in framing groundbreaking electoral legislation which is good and which protects and fosters effective democracy.

We were one of the first, and are still one of the major, jurisdictions to have non-voluntary voting. Today there is quite a bit of discussion about whether voting should be compulsory or not. I must put my position on the record: I am very much in favour of the system we now have. On several occasions I have lived and worked in a jurisdiction with voluntary voting — that is, the United Kingdom. As someone who has always been interested in politics, I found it amazing to talk to work colleagues and friends in the UK. When I was in the UK I joined the Conservative Party — —

Hon. T. C. Theophanous — What are you talking about?

Hon. C. A. STRONG — If you listen, I will tell you. It was at the time of Margaret Thatcher, that great Prime Minister who made very significant changes to the economy of the UK, something which it is still a great beneficiary of. One of the most interesting things is that you would say to them, ‘How could you possibly vote for the Labour Party; they are a rabble’? Your friend would say, ‘Yes, yes, yes’. You would ask, ‘Do you vote Conservative?’ and they would reply, ‘No, I could never vote for Margaret Thatcher’. You would then say, ‘You would not vote for the Social Democrats, that mob of idiots in the middle’, and they would say, ‘No, I would never vote for them either’. In essence they would say, ‘They are all idiots. I would not vote for any of them’.

That was an interesting lesson for me because I thought that was such a cop-out of the democratic process. Whatever your view is, it is an essential obligation of living in a democracy to make a choice. I do not believe no choice is an effective choice. I am happy to go on the record as saying that compulsory voting is the way to go. I am a very strong supporter of compulsory voting. Having lived, worked and been a member of a political party in an area where they have voluntary voting has certainly convinced me of the wisdom of compulsory voting.

In essence I have tried to outline that Australia and Victoria has taken a lead over generations in framing groundbreaking and forward-thinking electoral legislation. It is a great pity that this government has failed that tradition. It has come into this house with a piece of electoral legislation which Liberal Party members, when we first saw and were briefed on it, saw no reason to oppose. We may have had some queries at the boundaries, but we saw it as consistent and logical legislation following the long chain of tradition of electoral legislation that Victoria has brought in. At the end of the day members opposite failed at the final hurdle by pure self-interest, by grovelling to a few people for whatever reason and changing it to suit themselves and suit people on whom they are dependent.

I refer to amendments that were introduced in the lower house to change the number of people required to sign a form for a candidate from the 50 signatures that were required in the legislation to nominate for this house. The minister said in his second-reading speech that the government has moved from the existing 6 signatures required for nomination to 50 signatures to be consistent with federal legislation. Yes, you can see the
logic of that because the population today is much bigger so one can understand the logic of 50 as distinct from 6 in the old days. But at the last minute for what must be the most cynical, low reason, presumably — and I do not know this — because of pressure from the Independents in the other house, the government changed from the 50 required to 6 for the Legislative Assembly but left it the same for this house. Could you get a more cynical example of toying with important electoral legislation than that!

The minister’s second-reading speech says that we are changing it to make it better and consistent with federal legislation, yet at the last minute the government introduced a house amendment to make it different in the Assembly from the upper house. Why do you do this when you do it in the context of a government that was clearly beholden to Independents in its last term and still owes these Independents a large amount? This whole bill is discredited by that disgraceful piece of pragmatism where the government has undermined a rich heritage we have had in Victoria of bringing forward good electoral legislation that both sides of Parliament have agreed with; in essence both sides have to live with it because it is how we are elected and judged. It is a sorry stage in our history.

The Liberal Party does not intend to oppose this bill. We understand an amendment will be moved to return to the situation where there is consistency with the number of nominations required for the upper and lower houses to unwind this grubby deal with the Independents of the last-minute change, presumably at their behest, which perverted the whole system of relative purity and transparency that we have had over many generations of electoral legislation. We will be supporting the amendment that we believe will be put. I admit that I cannot wait to hear the logic of the amendment that will put back the symmetry of the number of people required to nominate members for both houses. As I say, it was one of the most grubby, self-serving pay-off provisions that we have seen in many years.

One of the reasons the Liberal Party would not oppose the bill normally is that it makes some incremental changes to the electoral legislation that are fundamentally worthwhile. One of those deals with people over 70 years of age. We all know that people over 70 have the option of taking themselves off the electoral roll or applying for a postal vote. The bill allows people over 70 years to apply to be put on a permanent postal vote list. We know there is a list of people who do not have to apply for a postal vote at each election. They are on a schedule and are automatically sent a postal vote. This bill allows people over 70 years to be put on the list to automatically get a postal vote at each election without applying. There are many people who are 70 years and over who still like to vote and have an interest in the political system but are unable to get to polling booths for various reasons and are daunted by the constant requirement, whether it be for state or federal elections, to apply for a postal vote and go through the process of filling in forms, which as we all know as one gets older is more of a trauma — posting it, getting it back, putting it in double envelopes, signing it, getting it witnessed. It is a major process to apply for and make a postal vote. To allow someone to be on a general postal vote list when over 70 years is appropriate. In terms of finetuning the bill makes significant changes to pre-poll voting.

We all know that pre-poll voting is an increasing trend. At the moment if one wants to pre-poll vote one has to live with it because it is how we are elected and judged. It is a sorry stage in our history.

One of the reasons the Liberal Party would not oppose the bill normally is that it makes some incremental changes to the electoral legislation that are fundamentally worthwhile. One of those deals with people over 70 years of age. We all know that people over 70 have the option of taking themselves off the electoral roll or applying for a postal vote. The bill allows people over 70 years to apply to be put on a permanent postal vote list. We know there is a list of people who do not have to apply for a postal vote at each election. They are on a schedule and are automatically sent a postal vote. This bill allows people over 70 years to be put on the list to automatically get a postal vote at each election without applying. There are many people who are 70 years and over who still like to vote and have an interest in the political system but are unable to get to polling booths for various reasons and are daunted by the constant requirement, whether it be for state or federal elections, to apply for a postal vote and go through the process of filling in forms, which as we all know as one gets older is more of a trauma — posting it, getting it back, putting it in double envelopes, signing it, getting it witnessed. It is a major process to apply for and make a postal vote. To allow someone to be on a general postal vote list when over 70 years is appropriate. In terms of finetuning the bill makes significant changes to pre-poll voting.

We all know that pre-poll voting is an increasing trend. At the moment if one wants to pre-poll vote one has to provide a whole set of reasons.

**Business interrupted pursuant to sessional orders.**

**ADJOURNMENT**

The DEPUTY PRESIDENT — Order! The question is:

That the house do now adjourn.

**Westvale Community Centre: management**

Hon. BILL FORWOOD (Templestowe) — I wish to raise a matter with the Minister for Aged Care for referral to the Minister for Consumer Affairs as the minister responsible for the Associations Incorporation Act. I seek her assistance in setting up an inquiry under part VIII A of that act into the management of the Westvale Community Centre, which was recently sacked by the Brimbank City Council. It was sacked because of child pornography. This matter is already being investigated by the police, but that is not the matter I wish to bring to the attention of the minister or the house tonight.

There is an old proverb that goes back to the 16th century: a man shall be known by the company that he keeps. The head of the centre is Rob Mamarella, who is the chief of staff of Bob Sercombe, and one Jeff O’Donnell is also a member of the committee. Some of the actions of the Westvale Community Centre need to be looked at. In particular there seems to be no doubt that loans were made to staff and there is no evidence of them ever being repaid. The organisation grew from 30 members to 390 members in a matter of just three weeks, and that was to gain control of the centre. Once control was gained, there seems to be no doubt that
funds were transferred from the centre to branch stack the ALP. This is a very serious allegation and is a matter that needs to be inspected under the Associations Incorporation Act. If there were police checks, which are required for organisations that work with children, I am confident that they would show that Jeff O’Donnell had been convicted of deception and using forged documents in 1999. Of course he was also a member of the Deer Park branch of the Labor Party.

Another matter that needs to be the subject of the inquiry that should be set up by the minister under the Associations Incorporation Act goes to the behaviour of Mr Mamarella himself. We know that Mr Mamarella is the chief of staff of Bob Sercombe. As I said, people are known by the company that they keep. I find it extraordinary that Mr Mamarella would have time to attend the funerals of Jason and Mark Moran, hit men from the other side of town, part of the really grubby tactics that the Ombudsman is now looking at. We have circumstance where the chief of staff of a Labor member of Parliament is now known as being an associate of criminals, and in those circumstances I do not think there is any doubt that there needs to be a quick and speedy inspection of the activities of the Westvale Community Centre, and in particular — —

Ms Mikakos — On a point of order, Deputy President, I have been listening very carefully to what Mr Forwood has been saying, and he is engaging in one of his typical defamatory sprays. The matters he is referring to would not appear to be within the portfolio responsibility of the Minister for Consumer Affairs. He is making a lot of defamatory comments which relate to alleged policing issues, and I think the member’s adjournment debate contribution would be considered to be out of order for that reason.

Hon. BILL FORWOOD — On the point of order, Deputy President, the substance of the issues I have raised goes to the Associations Incorporation Act, in particular the behaviour of then members of the committee, Bob Mamarella and another gentleman whose name is Jeff O’Donnell. By way of illustration I outlined some of their activities, but the activities I particularly want to have investigated go to the issue of funds that have been loaned and never repaid. They go to the issue — —

The DEPUTY PRESIDENT — Order! That is not a point of order. Mr Forwood has made the point about the behaviour of members of the committee, and that is as far as he needs to go.

Hon. BILL FORWOOD — I am not debating the point of order.

The DEPUTY PRESIDENT — Order! Mr Forwood is debating the point of order. He does not need to go any further. I need the opportunity to rule on the point of order. In regard to Ms Mikakos’s point of order, I have been listening very carefully to what Mr Forwood has had to say. He is calling on the Minister for Consumer Affairs under the Associations Incorporation Act to look into the behaviour of certain members of a committee in the Brimbank area. That is within the purview of the adjournment debate, and I do not uphold the point of order.

Hon. BILL FORWOOD — The issue goes in particular to the misuse of funds and the use of those funds to stack ALP branches in the federal electorate of Gorton.

Rosebud Secondary College: performing arts centre

Hon. J. G. HILTON (Western Port) — My adjournment issue this evening is for the Minister for Education Services in the other place, the Honourable Jacinta Allan. It relates to an application which Rosebud Secondary College has made for a grant under the Community Facilities Fund. Members would be aware of the Bracks government’s $30 million Community Facilities Fund, which provides opportunities for Victorian government schools to form strategic partnerships with their local municipal councils to build or modernise facilities in schools that can be accessed and used by the broader community.

Rosebud Secondary College has submitted a business case for a grant to establish a joint use multipurpose performing arts facility for the community on the Mornington Peninsula. The Mornington Peninsula Shire Council has formally approved a contribution of $200 000 towards the cost of this facility, and it is proposed that the community performing arts centre be a facility that is suited to dance, drama, music, exhibitions, multimedia seminars and lectures which can be accessed by the southern part of the Mornington Peninsula; able to seat 300 people in a flexible, multipurpose space; provided with professional quality acoustics and lighting; and jointly managed by representatives from the college, the Mornington Peninsula Shire Council and the community.

Independent consultants have previously recognised the fact that there is no other facility on the Mornington Peninsula which is able to satisfy the needs of the local community. This project has local community and Mornington Peninsula Shire Council support and would fill a significant gap in the cultural community facilities available on the peninsula. The college grant
application is now with the minister, and I ask her to give it favourable consideration.

**Monash Primary School: future**

**Hon. ANDREW BRIDESON** (Waverley) — I wish to raise another issue with the Minister for Education Services in the other place. It concerns Monash Primary School. Since I last raised the issue of this school in the adjournment debate the school council has voted to close the school at the end of this year. Yesterday I tabled a petition which was signed, I think, by 43 members of the school community. They call for a moratorium to be placed on the closing of the school until a full investigation can be made of what has been done in the past to save the school, what is needed and whether that can be achieved utilising existing and community resources.

In addition to the petition signed by those 43 signatories, I had a non-conforming petition that was signed by a further 30 members of the school community who reside in Notting Hill. These petitioners are parents, neighbours and friends of the school community. They are somewhat angry that the school council voted against the majority desire of the community to keep the school open. I am requesting that the minister place a moratorium on the closure of the school and investigate and review the actions of the current school council.

A review is necessary for four reasons. The school is still needed. The most serious reason for a drop in enrolments — a drop in the number of primary-age children in the city of Monash — is not apparent from the census data. The low school enrolments and its potential closure appear to be related to past management and leadership. These are not legitimate reasons to close a school, and they are easily remedied. The school is in a special activity zone for education and health under the Melbourne 2030 plan which has been developed by the Office of School Education. However, while it is adjacent to Monash University, no action has been taken to affiliate it with that university and service staff and students even though Monash University has indicated its willingness to provide resources, including teacher and student access, free lessons, training, the use of swimming pools and other sporting facilities, which are only a short walk away from the school. Monash Primary School has tremendous community support which has not been utilised. Indeed the community has been provided with no feedback and allowed little input on the school’s future even though the parents and friends in the community are willing to put in many hours of voluntary work.

Again I request that the minister immediately put in place the moratorium and conduct a review into why the school ought to be kept open.

**Geelong: world road cycling championships**

**Ms CARBINES** (Geelong) — I wish to raise a matter for the Minister for Sport and Recreation, the Honourable Justin Madden, concerning the UCI World Road Cycling Championships. I understand that Victorian Major Events Company is currently bidding for Victoria to hold this prestigious road cycling event in 2010. I have received a letter from the mayor of Geelong, Cr Shane Dowling. He is very keen to position Geelong as a potential venue should Victoria win the bid to host the 2010 UCI World Road Cycling Championships. I will quote from Cr Dowling’s letter:

> Geelong has built an outstanding industry reputation as a host venue for international cycling events due to its challenging and picturesque road courses, and council is very supportive of the proposed 2010 event … The championships would offer the Geelong region an outstanding global sports event with major international television coverage, and an unprecedented economic benefit worth more than $120 million …

He has asked me, and urged me as a member for Geelong Province, to:

> … champion the Geelong cause where possible on this issue at the highest level.

As a member for Geelong Province, I am delighted to assist the City of Greater Geelong in its desire to hold the 2010 UCI World Road Cycling Championships in Geelong.

Honourable members interjecting.

**Ms CARBINES** — For those opposite who are ignorant of what ‘UCI’ stands for, it is Union Cycliste Internationale. Should Victoria win that bid and be successful in securing the right to host the event, I ask Minister Madden to advise me of the current status of the bid and of any opportunities available to me as a member for Geelong Province to promote my home town of Geelong as the preferred location.

**Water: diversion metering**

**Hon. W. R. BAXTER** (North Eastern) — I raise a matter for the Minister for Water in the other place going to the issue of the metering of small diversions to our rivers and streams. The water white paper released last year by the government contained a policy decision that all existing diversions of 5 megalitres or more would need to be metered. Let me hasten to assure the house that most diversions are already metered and
certainly those of any significant volume are metered. But there are a large number of small diversion licences issued throughout the state, many of which are seldom used and are not currently metered. It looks like costing something in the order of $2000 for a meter to be installed. The government has offered assistance of up to $400, which is only a very small proportion of the cost involved. In addition, there is an ongoing cost because the meters will have to be read at least annually. It is my contention that the costs of installing, maintaining and reading the meters is out of all proportion to what water might be saved.

I ask the minister to review this policy with a view to doubling the minimum diversion from 5 to 10 megalitres before a meter needs to be installed, lifting the subsidy available to cover the full cost of installation, or introducing some sort of declaration where people can certify whether or not they are regular users of a significant volume of water so that we do not impose costs on small land-holders who have very tiny diversions which, particularly in the high rainfall areas of north-eastern Victoria, are very seldom used and, if so, are only used to a very small degree. The investment required is out of all proportion to the benefit to be gained. I ask the minister to review the policy with a view to getting a more realistic outcome.

**Police: western suburbs**

Hon. S. M. NGUYEN (Melbourne West) — I raise a matter for the Minister for Police and Emergency Services in the other place, the Honourable Tim Holding. It concerns the police drug operation, Operation POUND, which focused on Nicholson, Leeds, Hopkins and Paisley streets in Footscray and resulted in the arrest of 72 people and 120 charges being laid. The operation was very successful in arresting drug dealers operating in Footscray. It was supported by the local traders and the community in the city of Maribyrnong. A lot of people have been saying that this sort of activity has been going on for a long time and should have been dealt with a long time ago, but there is a lack of police to do the job. The community, especially traders, want to see more uniformed police patrolling Footscray during business hours so that when drug dealers see the uniforms they are scared and run away.

Operation POUND was initiated to stop all the drug dealing in Footscray and according to newspaper reports most of the people who were arrested were not residents of Footscray; they came from elsewhere. I ask the minister to bring this matter to the attention of the Chief Commissioner of Police, Christine Nixon, and ask her to increase the number of police in the western suburbs, especially in Footscray, so that we can keep an eye on drug dealers and the police can work with local community organisations such as the Footscray Asian Business Association, the Maribyrnong Chamber of Commerce and the City of Maribyrnong to improve —

**The DEPUTY PRESIDENT** — Order! The honourable member’s time has expired.

**Local government: fire services levy**

Hon. J. A. VOGELS (Western) — I raise an issue for the Minister for Local Government, Ms Broad. It concerns the cost of the metropolitan fire services levy which is used to fund the Metropolitan Fire and Emergency Services Board (MFESB), in particular as it pertains to local government. Three distinct groups contribute to this levy which this year raised $217 million. Contributions by insurance companies are set at 75 per cent, which brought in $163 million. Metropolitan councils contribute 12.5 percent, or $27 million; and the state government contributes, in theory, 12.5 per cent, which would also be $27 million. However, the Bracks government receives back stamp duty and goods and services tax on insurance premiums so in fact it only contributes a very small percentage of the levy. I would not be surprised if it contributed nil, once stamp duty and GST returns are taken into consideration. Under the current model of funding the Bracks government is effectively shielded from the need to exercise discipline in setting the MFESB budget.

The action I seek from the minister is to investigate and provide to metropolitan councils, which now contribute $27 million of this levy, the growth amount in the fire services levy since 1999 and the proportions paid by the state government, councils and insurance companies, including the revenue received by the state government from stamp duty and GST imposed on the insurance component of this levy. There is a real concern, particularly in metropolitan councils because they are the ones paying it, that there is disjunction between the real financial contribution of the state government to the fire services levy and the lack of influence that local government has in its budget. I ask the minister to find out what contributions were made by the state and how much the fire services levy has increased each year since 1999 and pass that on to local governments so that they can benefit. Local government should have representation on the board of the MFESB that is spending all this money. It is my understanding — and that is why I would like to find out — that the fire services levy has increased by approximately 80 per
cent. This is an enormous amount, but nobody seems to know the real figure, so I ask the minister to investigate.

Responses

Mr GAVIN JENNINGS (Minister for Aged Care) — The Honourable Bill Forwood raised a matter for the Minister for Consumer Affairs, asking that she investigate under section 8A of the Associations Incorporation Act the prevailing circumstances at the Westvale Community Centre.

The Honourable Geoff Hilton raised a matter for the attention of the Minister for Education Services in the other place, seeking the minister’s respectful and supportive response to a submission being made by the Rosebud Community Centre to enable it to continue to play an important role in providing support to the Rosebud community.

The Honourable Andrew Mr Brideson raised a matter for the Minister for Education and Training in the other place — it reminded me of the moratorium days at Monash — calling upon the minister to invoke a moratorium about the proposed closure of the Monash Primary School. A determination has been made by the local school council, and Mr Brideson suggested that the Minister for Education and Training undertake a review effectively to question the validity of that decision in the light of prevailing circumstances and demographic data in the Monash region.

In relation to Monash, I am a bit concerned because under normal circumstances Mr Bowden would have raised the matter — —

Hon. Bill Forwood — He is ill.

Mr GAVIN JENNINGS — I thought he might have been stuck on the Monash again! I am sorry that he is ill.

Ms Carbines raised a magnificent issue — —

Hon. Bill Forwood — In French!

Mr GAVIN JENNINGS — In French — exactly! I am extremely limited in my vocabulary, but it was très bien. She was seeking the support of the Minister for Sport and Recreation in relation to a very exciting international cycling event — with a French inspiration rather than a unicycle inspiration — that could potentially be held in Geelong in 2010. She was seeking advice, which is an interesting proposition, about the role she can play in supporting the important submission that has been made by the City of Greater Geelong in pursuing that potentially great event for the Geelong region in the future.

The Honourable Bill Baxter raised a matter for the attention of the Minister for Water in the other place seeking the minister’s review of the metering arrangements and the cost structure that relates to metering for small diversions of 5 megalitres or more and suggesting that that review should lead to either a different cost structure being provided by the government to support the installation of metering or in fact that the regime of determining when those meters should apply to create, in Mr Baxter’s view, a lesser burden on cost structures of the impact of metering those small diversions.

The Honourable Sang Nguyen raised a matter for the attention of the Minister for Police and Emergency Services in the other place seeking his intervention, in an appropriate way under the separation of powers, by having a conversation with the police commissioner and reminding her of some of the pressures on the streets of the west, and in Footscray in particular.

Mr Vogels raised a matter with the Minister for Local Government that I thought could have been raised with the Treasurer seeking the minister to ascertain the cost structure and the rate of increase within the fire services levy and the distribution of state payments and local government payments, and provide that information to local government within Victoria.

The DEPUTY PRESIDENT — Order! The house stands adjourned.

House adjourned 10.26 p.m.