

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

Wednesday, 3 February 2010

(Extract from book 1)

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By authority of the Victorian Government Printer

The Governor

Professor DAVID de KRETZER, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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Minister for Mental Health, Minister for Community Services and Minister for Senior Victorians	The Hon. L. M. Neville, MP
Minister for Public Transport and Minister for Industrial Relations	The Hon. M. P. Pakula, MLC
Minister for Roads and Ports, and Minister for Major Projects	The Hon. T. H. Pallas, MP
Minister for Education and Minister for Skills and Workforce Participation	The Hon. B. J. Pike, MP
Minister for Gaming, Minister for Consumer Affairs and Minister Assisting the Premier on Veterans' Affairs	The Hon. A. G. Robinson, MP
Minister for Housing, Minister for Local Government and Minister for Aboriginal Affairs	The Hon. R. W. Wynne, MP
Cabinet Secretary	Mr A. G. Lupton, MP

Legislative Council committees

Legislation Committee — Mr Atkinson, Ms Broad, Mrs Coote, Mr Drum, Ms Mikakos, Ms Pennicuik and Ms Pulford.

Privileges Committee — Ms Darveniza, Mr D. Davis, Mr Drum, Mr Jennings, Ms Mikakos, Ms Pennicuik and Mr Rich-Phillips.

Select Committee on Train Services — Mr Atkinson, Mr Barber, Mr Drum, Ms Huppert, Mr Leane, Mr O'Donohue and Mr Viney.

Standing Committee on Finance and Public Administration — Mr Barber, Ms Broad, Mr Guy, Mr Hall, Mr Kavanagh, Mr Rich-Phillips and Mr Viney.

Standing Orders Committee — The President, Mr Dalla-Riva, Mr D. Davis, Mr Hall, Mr Lenders, Ms Pennicuik and Mr Viney.

Joint committees

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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-SIXTH PARLIAMENT — FIRST SESSION

President: The Hon. R. F. SMITH

Deputy President: Mr BRUCE ATKINSON

Acting Presidents: Mr Eideh, Mr Elasmr, Mr Finn, Mr Leane, Ms Pennicuik, Mrs Peulich, Ms Pulford, Mr Somyurek and Mr Vogels

Leader of the Government:

Mr JOHN LENDERS

Deputy Leader of the Government:

Mr GAVIN JENNINGS

Leader of the Opposition:

Mr DAVID DAVIS

Deputy Leader of the Opposition:

Ms WENDY LOVELL

Leader of The Nationals:

Mr PETER HALL

Deputy Leader of The Nationals:

Mr DAMIAN DRUM

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Leane, Mr Shaun Leo	Eastern Metropolitan	ALP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Lenders, Mr John	Southern Metropolitan	ALP
Broad, Ms Candy Celeste	Northern Victoria	ALP	Lovell, Ms Wendy Ann	Northern Victoria	LP
Coote, Mrs Andrea	Southern Metropolitan	LP	Madden, Hon. Justin Mark	Western Metropolitan	ALP
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Darveniza, Ms Kaye Mary	Northern Victoria	ALP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Davis, Mr David McLean	Southern Metropolitan	LP	Pakula, Hon. Martin Philip	Western Metropolitan	ALP
Davis, Mr Philip Rivers	Eastern Victoria	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Drum, Mr Damian Kevin	Northern Victoria	Nats	Petrovich, Mrs Donna-Lee	Northern Victoria	LP
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Elasmr, Mr Nazih	Northern Metropolitan	ALP	Pulford, Ms Jaala Lee	Western Victoria	ALP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Guy, Mr Matthew Jason	Northern Metropolitan	LP	Scheffer, Mr Johan Emiel	Eastern Victoria	ALP
Hall, Mr Peter Ronald	Eastern Victoria	Nats	Smith, Hon. Robert Frederick	South Eastern Metropolitan	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Huppert, Ms Jennifer Sue ¹	Southern Metropolitan	ALP	Tee, Mr Brian Lennox	Eastern Metropolitan	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Theophanous, Hon. Theo Charles	Northern Metropolitan	ALP
Kavanagh, Mr Peter Damian	Western Victoria	DLP	Thornley, Mr Evan William ²	Southern Metropolitan	ALP
Koch, Mr David Frank	Western Victoria	LP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP
			Vogels, Mr John Adrian	Western Victoria	LP

¹ Appointed 3 February 2009

² Resigned 9 January 2009

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Wednesday, 3 February 2010

The PRESIDENT (Hon. R. F. Smith) took the chair at 9.34 a.m. and read the prayer.

OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT COMMITTEE

Membership

The PRESIDENT — I have received the following letter from Ms Danielle Green, the member for Yan Yean in the Legislative Assembly:

I hereby tender my resignation as committee member from the Outer Suburban/Interface Services and Development Committee, effective from 21 January 2010.

I would like to take this opportunity to pass on my deepest appreciation to my fellow parliamentary committee members and to the very dedicated staff and wish everyone involved with this committee the best in its future endeavours.

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE

Membership

The PRESIDENT — I have received the following letter from Ms Mary Wooldridge, the member for Doncaster in the Legislative Assembly:

I write to formally submit my resignation from Parliament's Family and Community Development Committee, effective from Monday, 1 February 2010.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Membership

The PRESIDENT — I have received the following letter from Ms Janice Munt, the member for Mordialloc in the Legislative Assembly:

I would like to advise you of my decision to resign as a member of the Public Accounts and Estimates Committee, effective immediately.

PETITIONS

Following petitions presented to house:

Box Hill Hospital: funding

To the Legislative Council of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council the urgent need for the commencement of planning and a commitment to funding the full redevelopment of the Box Hill Hospital.

Despite the best efforts, dedication and high professional standards of the management and staff of the Box Hill Hospital, waiting lists and other key performance measures are falling well below the state average performance because of the inadequate and ageing building and facilities.

The Box Hill Hospital is the major public hospital servicing the eastern suburbs of Melbourne and is under pressure as a result of the government's decision to abandon the previous government's plan to build a new public hospital at Wantirna and constraints on the expansion of the Maroondah and William Angliss hospitals.

The Box Hill Hospital is unable to meet the increasing demand for public hospital services with extended waiting lists leading to inconvenience, pain, suffering, increased personal costs associated with managing medical conditions and, potentially, adverse treatment outcomes.

Your petitioners therefore request that the Legislative Council call on the state government to immediately commence detailed planning for the redevelopment of the Box Hill Hospital and to commit to a funding timetable in line with promises and assurances provided to the community since 2003.

By Mr ATKINSON (Eastern Metropolitan) (5 signatures).

Laid on table.

Water: entitlements legislation

To the Legislative Council:

The petition is of one of the stakeholders impacted by the Water Amendment (Entitlements) Bill 2009 voicing concerns of others also of properties located on the west side of arterial Ironbark Road, Diamond Creek, and collector Pioneer Road. These consist of 201–219 Ironbark Road, Diamond Creek (5 acres), 175–199 Ironbark Road, Diamond Creek (40 acres), 40–60 Pioneer Road, Yarrambat (14.5 acres) and 221–233 Pioneer Road, Yarrambat (8 acres). They are the subject lands of previous petitions to Parliament.

The petitioner hereby brings to the attention of the house that stakeholders of above lands will be seriously impacted by the proposed Water Amendment (Entitlements Bill) 2009. In approximately 1975 the Governor had declared, ordered and directed that both the waterworks and urban districts of the Plenty-Yarrambat Waterworks Trust be increased to include the above properties. It was approved by the Governor in Council (that is cabinet). The first two properties were included even though they were in the suburb of Diamond Creek. This was necessary before the works were permitted to begin and the properties charged for the infrastructure. The scheme was prepared in accordance with the provisions in section 310A of the 1958 Water Act, section 307AA and other related legislation. Note error in petition tabled

10 December 2009, which reads as 301A instead of correct 310A where consumers were liable for total costs.

The first two properties were in one ownership and charged the most based on their highest net annual evaluation (NAV) of this land as urban residential land. Its charge was \$3084.13 for head works and distribution costs. (Two thirds based on its NAV). This was equivalent to one and a half times NAV of a local commercial shop site (which was \$2000). The then owner objected on all grounds available as was self-sufficient with a commercial capacity of water (and electricity) for intensive farming. His objections on all grounds were overruled and he was forced to pay despite not needing this huge urban supply. The final payment on a government loan scheme at approximately 11.5 per cent interest was completed in the late 1980s.

The liabilities, responsibilities and duties of the trust were taken over by Melbourne's Metropolitan Board of Works, Melbourne Water and finally we understand Yarra Valley Water. The water rights/entitlements and associated urban (not rural values) were attached to the lands providing certainty relied upon. Accordingly the stakeholders' lands had long-term distinctive attached prepaid-for urban reticulated infrastructure and associated development/property rights and values (paid for either directly/indirectly inherited by law or when purchased). They have been continued to be protected by the Water Act and associated acts for approximately 30 years. The infrastructure was directly tied to the value of the land. The water bill takes away above stakeholders' urban water rights/entitlements against the constitution (providing unjust enrichment to others) and is against above stakeholders' human rights.

Schedule 14 (section 326) savings and transitionals and other areas of the bill will be repealed (and changed) by this bill wiping out the above provisions and entitlements. These are the basis to above stakeholders' ongoing infrastructure and associated planning dispute with government for approximately 10 years. See petitions and sworn transcript of evidence to parliamentary inquiry on UGB impact 22 September 2009 upon which stakeholders restate their claims for the government to rezone the land correctly to residential one (then equivalent proposed substantial change) and include the land in the UGB to comply with legislation. They must be correctly recognised as urban land (and value) with distinctive attached reticulated urban infrastructure to total area of the land (not just one house size). This is irrespective of any final site-specific land use within the UGB (due to new community aspirations or other).

Prayer

The petitioner hereby requests the Legislative Council urge the Minister for Water, the Honourable Tim Holding:

1. Defer the debate of this bill to enable further investigations and changes to this and subsequent water bills to ensure the above stakeholders do not lose any of their urban infrastructure and associated development/property rights and entitlements.
2. Make amendments to this bill to ensure the above.
3. Consult with the petitioners to ensure they will not lose their rights and entitlements by this and subsequent bills.
4. Meet with the petitioners and planning minister to facilitate urgent planning corrections per stakeholders'

continued requests in petitions to Parliament and remedies suggested in UGB inquiry transcript, be it zoning corrections or compensation for loss and damage.

By Mr KAVANAGH (Western Victoria)
(1 signature).

Laid on table.

ANNUAL STATEMENT OF GOVERNMENT INTENTIONS

Mr LENDERS (Treasurer) — I move:

That there be laid before this house a copy of the annual statement of government intentions for 2010.

Motion agreed to.

Laid on table.

Ordered to be considered next day on motion of Mr LENDERS (Treasurer).

PAPERS

Laid on table by Clerk:

Auditor-General — Report on Effectiveness of Student Wellbeing Programs and Services, February 2010.

Gambling Regulation Act 2003 — Report of the Gambling and Lotteries Review Panel to the Minister for Gaming in Relation to the Review of Registrations of Interest in the Grant of the Keno Licence.

NOTICES OF MOTION

Notice of motion given.

Mrs PEULICH having given notice of motion:

The PRESIDENT — Order! I advise Mrs Peulich that the clerks have informed me that they were unaware of that notice. The normal procedure is that the clerks are made aware of any motion of which a member gives notice. Other than that, Mrs Peulich needs to indicate that it is a matter of intention.

Mr P. Davis — I am not questioning your observation to the chamber, President, but I am looking for some elucidation. Are you implying that members do not have a right to spontaneously give notices of motion?

The PRESIDENT — Order! I am certainly not doing that, Mr Davis. What I am reminding the house

of is that the normal custom and practice of members is to submit the motion to the Clerk to ensure that it complies with the standing orders and the standards we would expect in the house — but rest assured, if you want to say something in here, you will be able to say it.

Mrs Peulich — On that point of order, President, if I may: we start at 9.30 in the morning, and often some of these motions are generated overnight. Our office is usually open at 9 o'clock, so there is a time frame. It was, however, sent concurrently to both me and the clerks. I say that as a point of information on that score, if I may continue with the next notice of motion.

The PRESIDENT — Order! So it is not a point of order?

Mrs Peulich — No.

Further notices of motion given.

MEMBERS STATEMENTS

Crime: sentencing

Mr DALLA-RIVA (Eastern Metropolitan) — I am pleased that as usual the Victorian Liberal-National coalition government of the future will deliver on another policy when it gets elected in November this year. This is in stark contrast to Labor, on the other side of the chamber, which fails to deliver coherent policies that have meaning and direction for Victorians.

I am talking about the ending of suspended sentences. This was announced by our leader in the Assembly, Ted Baillieu, in early January. I was pleased to see that it received a positive response from the community. In 2006 we saw the spin doctors on the other side of the chamber decide to announce the abolition of suspended sentences. What has happened since? Absolutely nothing! There has not been even — —

Mr D. Davis — They're still being suspended!

Mr DALLA-RIVA — They are still being suspended. We watched tragic news last night. I will not go into that, but members can see what happens when suspended sentences continue to roll over and over. Suspended sentences really are in effect no sentences. There is no community involvement; there is no community service. There is no form of tracking the offender after they have committed a crime. It just makes a mockery of the system. It even goes against Labor's own Sentencing Advisory Council, which

recommended in 2005 that all suspended sentences be abolished.

In 2006 Labor said it would abolish suspended sentences, but nothing has happened. It is a policy void. We have the policies to lead Victorians into the future.

Rail: train overcrowding

Ms PENNICUIK (Southern Metropolitan) — Last Monday I had two interesting experiences on our train system. Waiting for a delayed train on a crowded platform at Elsternwick station, I was thinking it was very unlikely that everyone would be able to get on whenever the train arrived. I was in the end carriage, and I noticed when the train passed the front of the platform that a large number of people had not been able to get on it. During the rest of the journey people were left stranded at Ripponlea, Balaclava, Windsor, Prahran and South Yarra, until the train got to Richmond, when as usual half the passengers had to get off to catch a city loop train.

This scenario is an everyday occurrence for Melbourne's commuters. Imagine my surprise, and that of the passengers around me, when on this occasion we were treated to a Metro Trains Melbourne broadcast that informed us that the train was running 420 seconds late due to an excessive number of passengers. It was not late due to cancelled or delayed trains or too few trains on the Sandringham line but because of too many passengers. Obviously if there were not so many passengers, the train system would not be in such chaos!

I have to say that the broadcast was greeted with much laughter and rolling of eyes by the passengers around me. On the journey back home later that day I waited on a very crowded platform at Parliament station and boarded a packed and late Pakenham train with a view to changing to the Sandringham line at South Yarra station. Imagine my amazement when I was informed by yet another Metro announcement that the reason the train was late arriving at Parliament station was that it was late arriving at Flinders Street station. There was more exasperated laughter from passengers. If it were not so serious for the long-suffering members of the travelling public who put up with this every day, it would be funny. It certainly is Pythonesque.

Alcohol: Rethink the Drink

Ms PULFORD (Western Victoria) — Rethink the Drink is an initiative of volunteers in Warrnambool. A combination of community fundraising and health promotion, Rethink the Drink encourages participants

to change the way they consume alcohol for the month of February in one of two ways, either by adhering to the recommended safe drinking levels or alternatively by having a month off the grog. Participants encourage their friends, family members and colleagues to sponsor their efforts and all proceeds go to the South West Community Foundation.

The aims of Rethink the Drink are to be lauded because they highlight the problems of alcohol-related violence, antisocial behaviour and binge drinking. The volunteers who have led this initiative are to be congratulated. They include Jacinta Ermacora, Craig Midgley, Paul Hargreaves, Carmel Brady, Rob Wallis, Karen Foster, Karyn Knight, Peta Williams, Mary Bouwman and Tarryn Hill. In addition, many organisations are supporting this initiative.

Finally, I seek the support of colleagues and perhaps others so inclined, and ask for a \$10 contribution as I endeavour to succeed in this challenge for a dry February and raise money for a fine cause at the same time.

Professor Patrick McGorry

Mr P. DAVIS (Eastern Victoria) — Mental health advocates, in particular those working in crisis circumstances in Victoria, warmly welcomed the announcement on Australia Day of the eminent psychiatrist, Professor Patrick McGorry, as Australian of the Year. Advocacy organisations view Professor McGorry's appointment as the highest recognition of the extent of the nation's mental health problem and of the need for greater general awareness of mental health and a more concerted effort to treat mental illness and reduce its incidence.

I received one such message from Barrier Breakers, which is based in Traralgon and serves the Gippsland region. The people at Barrier Breakers have been heartened by Professor McGorry's award and view it as an opportunity to focus attention on essential and long overdue improvements to mental health services. The organisation's work has shown Gippsland to be one of the poorest resourced areas in the state for mental health care and supported accommodation. But the whole state is suffering. The recent Productivity Commission report on government services placed Victoria last among the states on the basis of its mental health funding and services.

The government's current review of the Mental Health Act overlooks the fact that it is not legislation but investment that is required to provide sufficient care for vulnerable Victorians suffering mental illness, and to

conduct awareness and resilience programs towards mental health.

Bushfires: Black Saturday anniversary

Mr SCHEFFER (Eastern Victoria) — Next Sunday marks the first anniversary of the beginning of the fires that took the lives of 173 people in February 2009. It is fitting that we acknowledge this tragedy on this first anniversary and pay our respects to those who perished in and those who survived the fires. It is important that we express our gratitude to the hundreds of thousands of men and women from Victoria and beyond who directly and indirectly helped those who were overwhelmed by the fires in their hour of need. We express our gratitude to the firefighters, the emergency services personnel, members of Victoria Police, and officers from the Department of Sustainability and Environment and other government departments and local government agencies who worked tirelessly in the face of the worst fires this country has seen.

The Bunyip, Delburn and Churchill fires were immense and the impact of the inferno upon the people of West Gippsland, the Strzeleckis and the Latrobe Valley in particular is incalculable. We should also pause to acknowledge the strength, resilience and determination of so many people who through their grief found the courage to rebuild and remake their lives. The reconstruction of the towns and the care of those who survived the fires have been huge undertakings, and I think that, despite some setbacks and false starts, our state and community have done well.

After a year, reconstruction is well under way and, as the Premier indicated yesterday in his 2010 annual statement of government intentions, the government will continue to work with affected communities through the rebuilding and reassessment of all aspects of fire risk. Victorians deserve no less.

Government: financial management

Mr VOGELS (Western Victoria) — Today I take the opportunity to outline a few projects that this out of touch Labor government could fund which would be of much greater benefit to Victorians than placing \$20 million worth of fairy lights on the West Gate Bridge. The consolidation of the essential service telecommunications centres at Mount Helen and Ballarat would free up 54 police officers across the state to carry out actual policing rather than answering telephones and, just as importantly, would allow members of the police force, the Country Fire Authority, the State Emergency Service and

Ambulance Victoria to communicate with each other on the same wavelength.

People in Stawell would love to see funding for an upgrade of the airport to allow heavier firefighting aircraft to land, thus protecting the Grampians. Apollo Bay residents and visitors would love to have the town's airfield upgraded to allow emergency fixed-wing aircraft to land in the case of fires in the Otways.

South West Healthcare in Warrnambool is desperately in need of a radiotherapy unit to allow cancer patients to be treated in the region rather than travelling up and down to Ballarat, Geelong or Melbourne for radiotherapy that usually lasts 5 minutes.

We could talk about small town sewerage and water schemes at Gordon, Blackwood, Waubra, Smythesdale and Lancefield or connection to natural gas at Avoca and Terang, not to mention many other country towns in the western region, creating hundreds of jobs into the future.

All these projects could be funded with the \$20 million the Brumby government intends to spend on fairy lights. It is also hypocritical to continually berate the public about turning off 45-watt globes when this government intends to spend \$20 million on fairy lights on the West Gate Bridge.

Australia Day: City of Banyule

Mr ELASMAR (Northern Metropolitan) — I rise to speak about a special event that I attended, along with Craig Langdon, the member for Ivanhoe in the other place, and Matthew Guy from this house, on Australia Day 2010. I participated in the Australia Day celebrations and the citizenship ceremony held at the Banyule City Council offices. I thank the mayor, Wayne Phillips, councillors and the officers of Banyule City Council for making Australia Day 2010 a very pleasant and memorable occasion.

Northern Region Indian Seniors Association: celebrations

Mr ELASMAR — On another matter, on Sunday, 31 January, I attended the Northern Region Indian Seniors Association to join in their combined Australia Day and Indian Republic Day celebrations. I was very impressed with the high level of community spirit and social commitment to their community in the northern region of Melbourne. I was able to assure them of the Brumby Labor government's total support for harsher sentences for those people who are convicted of racially

motivated crimes against innocent citizens in our community. I was made to feel most welcome by everyone, and I enjoyed celebrating with them Indian Republic Day and Australia Day.

Public transport: myki ticketing system

Mr FINN (Western Metropolitan) — I was preparing this morning to say a few words about my experience on Monday night when I heard Christopher Lord Monckton at his address in Melbourne expose the total myth of man-made climate change when I received information about another scam which is probably almost as bad. It is a text message that reads:

So I tried to use myki this morning for the first time. It ate my \$10, told me I had zero balance. I call them: they say they will investigate but can't guarantee the return of my money. They also said it would be two business days at least to hear from someone. So now I am out \$10 and missed two trains. Great morning so far.

But that is not all. The next message, which I received a couple of minutes later, has another bit of information:

After I inserted the \$10 I asked for a receipt. The machine shut down totally and had a black screen. That is when I called them. Those machines must be totally shoddy.

Totally shoddy indeed.

Can I suggest to the Minister for Public Transport and the government that they are marketing this myki ticketing scheme the wrong way? This is not a ticketing system, this is a gambling system. You put your money on the card and sometimes you win, as we found out on the weekend, but mostly you lose. As Victorian taxpayers we are losing almost \$1.4 billion every day. This government is a disgrace.

Hon. T. C. Theophanous: media report

Hon. T. C. THEOPHANOUS (Northern Metropolitan) — Last year I complained to the ABC complaints section about Josie Taylor. I pointed out that she had pursued a number of stories about me which were either false or grossly exaggerated. Amongst other things, she made a number of false claims in relation to the circumstances around my sacking —

Mr D. Davis — On a point of order, President, the member is persisting in pursuing a personal agenda. He has attacked independent officers and he is now attacking others.

The PRESIDENT — Order! If Mr Davis wants to raise a legitimate point of order, he can do so, but he has not done so at the minute.

Hon. T. C. THEOPHANOUS — in relation to the circumstances surrounding my standing down of my former electorate officer, Costas Socratous.

The ABC complaints unit wrote back to me and stated the following:

... we are of the view that the report was inaccurate in stating that, 'Despite all the politicians and councillors implicated in the Ombudsman's report [Costas Socratous] is the only sacking', and that the report inaccurately distinguished the two situations when it stated that, 'Mr Suleyman still technically works for planning minister Justin Madden'.

Indeed not only was Mr Socratous not sacked, but I understand a job was offered to him by the President for ongoing employment if he wanted it. The ABC's complaints unit — —

Mr D. Davis — On a point of order, President, Mr Theophanous has pursued a vendetta against this councillor. He goes on and on — —

The PRESIDENT — Order! A member is entitled to raise any matter he chooses about anyone so long as it is not defamatory to a member. Therefore Mr Theophanous is complying with the standing orders in relation to raising a matter in a 90-second statement. There is no point of order.

Hon. T. C. THEOPHANOUS — The complaints unit went on to say:

We have also concluded that the claim made in the report that you sacked Costas Socratous because of his evidence to the Ombudsman should have been more clearly attributed as the opinion of Costas Socratous. The failure to do so was a breach of the accuracy requirements which apply to news and current affairs programs.

The ABC further states — —

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

Hon. T. C. THEOPHANOUS —

The ABC regrets these breaches of its editorial policies — —

The PRESIDENT — Order! The member's time has expired, and I expect the member to comply when I suggest — —

Mr D. Davis interjected.

The PRESIDENT — Order! Mr Davis is not being very helpful. I have made it very clear to him that members are entitled to raise matters if they choose so long as they do not defame or make imputations about a member.

Ovarian cancer: awareness month

Mrs PETROVICH (Northern Victoria) — For many years ovarian cancer has been called a silent killer because there is no early detection and often when it is detected it is too late. February is Ovarian Cancer Awareness Month, and it is an opportunity for women around the country to take stock of their health and learn about the symptoms of the disease not only for themselves but for their mothers, daughters, sisters and friends.

Every 11 hours an Australian woman dies from ovarian cancer. This year 1500 women will be diagnosed with ovarian cancer, and more than half will die as a result. This number is expected to increase to 1645 next year, which is far too many. While ovarian cancer is the sixth most common cause of cancer death in Australian women, the majority of women do not know or recognise the symptoms. Yet if it is detected early up to 95 per cent of sufferers can expect to make a full recovery. This cancer is found in women of all ages, and while it is most prevalent in women around 60 years it has been diagnosed in girls as young as 7 years.

Women need to be aware of their bodies. Symptoms can include persistent abdominal pain, bloating, unexplained weight loss or weight gain and excessive fatigue, all of which can be a symptom of other medical issues. However, if they are in doubt I urge women to go to their doctors to get themselves checked. The Ovarian Cancer Australia website has an excellent diary to help maintain a record of these symptoms. It could be a lifesaving exercise for every woman in Australia to monitor their health for the month of February.

Mansfield hospital: funding

Mr D. DAVIS (Southern Metropolitan) — My matter today concerns the Mansfield hospital and in particular the tragic story of Mr Jack Smith, who is an older man who went to the hospital and required assistance in terms of tests at neighbouring hospitals in country Victoria.

Because of its cash-strapped position and because the Brumby government has squeezed it so tightly, the hospital insisted that Mr Smith's wife courier him around country Victoria. She is a very frail older woman who was not in either a physical or emotional position to transport her husband, who was also in a very weakened and frail condition. Later, on two occasions, in other transfers around country Victoria the hospital insisted that the maintenance man at the hospital act as the patient transport operator, and he

drove Mr Smith around. It appears the hospital also missed important diagnoses.

It is not my intention to attack the hospital. Fundamentally this is a problem of the Brumby government and of the Minister for Health, Daniel Andrews, their penny-pinching, their failure to fix the country hospital system and their failure to attend to basic services. Victorians will be very angry and very sad about what has occurred in this case.

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

GOVERNMENT (POLITICAL) ADVERTISING BILL

Introduction and first reading

Mr D. DAVIS (Southern Metropolitan) introduced a bill for an act to prevent the government misusing taxpayers money on political advertising and so-called information campaigns by government departments and authorities, especially during election periods.

Read first time.

RAIL: GOVERNMENT PERFORMANCE

Mr KOCH (Western Victoria) — I move:

That this house expresses its outrage at the Brumby government's failure over a period of more than 10 years to manage Victoria's public transport and calls on the newly appointed Minister for Public Transport to tell the house and Victorian commuters as a matter of urgency how he plans to deal with the many problems that after more than a decade of Labor beset our transport system, including —

- (a) what steps will be taken, and their expected implementation time line, to fix the flawed myki ticketing system and ensure its smooth operation;
- (b) what plans the Brumby government has to deal with the braking problems of the Siemens trains that have occurred since 2003 on the metropolitan rail system including advising the house as to when these trains can be regarded as safe;
- (c) what steps the Brumby government will take to bring up to modern standard the maintenance of rail tracks, the sagging and unreliable overhead catenary wires, signalling and points, and when these will be completed to an acceptable standard;
- (d) what steps will be taken to examine and explain the chronic metropolitan and country rail unpunctuality, unreliability, overcrowding and faulty train air conditioning and when credible steps to deal with each

of those problems will be taken by the Brumby government; and

- (e) why, after spending \$839 million more than the originally estimated \$80 million cost on regional fast rail, V/Line's trains have run 'officially late' for 40 consecutive months on the Geelong line, 30 consecutive months on the Seymour line, 28 consecutive months on the Bendigo line, 23 consecutive months on the Traralgon and Bairnsdale lines and 35 of 40 months on the Ballarat line, and what steps the minister will take to ensure those lines reach acceptable punctuality standards without delay.

The public transport system has obviously declined over the last decade, unfortunately to a point of chaos. We are now on the third Minister for Public Transport, and Victorians have become more disgruntled. All the spin, the rhetoric and the changes to service providers — from Connex to the more recent Metro Trains Melbourne — have not resolved the disasters that continue to frustrate and annoy the growing number of patrons who, I might add, have been encouraged to leave their cars at home and take up the opportunity of using public transport. The patience of the travelling, fare-paying commuters is being tested not only in the metropolitan area; we are also seeing a similar situation being experienced by those in regional Victoria who, as we know, are patrons of V/Line services.

The shortcomings of our public transport system are not all about staffing and rolling stock; They are far more serious than that. Victoria's plight is more about infrastructure and the lack of maintenance and scheduling of essential components, such as track overhead catenary wires, signalling, passenger comfort and timetabling — things this government continues to ignore and to date has failed to correct.

From the opposition's point of view there are five specific areas of major concern that just will not go away. We are interested in the steps being proposed and the expected implementation time frames to correct the disastrous myki ticketing system to ensure its smooth operation. To date it remains unknown when they will be put in place. The Brumby government plans to rectify the problems with the braking system on Siemens trains, which have plagued the rail system in Victoria since 2003. We ask when travellers' safety will be restored to an acceptable level, particularly in view of the fact that these trains make up a large percentage of our rolling stock.

We are also interested in when the minister might give some indication that the government is going to return to the fundamental infrastructure maintenance standards and bring the infrastructure back to acceptable industry

levels, particularly in the areas of rail track reliability, overhead powerlines and signalling, as well as the other specific areas I have mentioned. We want to know what steps the Brumby government is taking to examine and explain the chronic lack of punctuality and reliability and the overcrowding, faulty air conditioning and the like, all of which are taking away from the comfort of those who use the system. What is the proposed timetable for fixing these problems and bringing the standards to an acceptable level?

Lastly we are concerned about why — and we request an explanation — after the appalling overrun of \$850 million on the estimated \$80 million budget for the regional fast rail project upgrade, the V/Line trains have consistently run officially late month after month, particularly on the Geelong, Ballarat, Seymour, Traralgon and Bairnsdale lines.

I am somewhat disappointed that the new Minister for Public Transport has not joined the discussion in the house this morning. Yesterday he demonstrated that he was very interested in his new role as Minister for Public Transport in Victoria, when he was in his thirteenth day in that role. Today he is in his fourteenth day but has not seen fit to be present in the house for members' contributions to debate on this critically important area of public transport and the delivery of services. The minister is aware that the whole public transport scandal, especially rail services and the unworkable magic ticketing system, has fallen on his shoulders for correction. This certainly has not happened in his time in the portfolio. His predecessors, Peter Batchelor and Lynne Kosky, demonstrated that they were incompetent in that role, and like the travelling public, members of the opposition are at a complete loss as to why the strategy that was originally put in place by Premier Brumby when he was state Treasurer has remained to this stage with little endeavour to fix the debacle. Without doubt — and we should note it — responsibility for the debacle is falling on the shoulders of the Premier. He went out of his way to bring the project to the Victorian public, but regrettably from its instigation our public transport system, particularly rail, has gone backwards.

The loopy and flawed myki ticketing system has chewed up taxpayers dollars like no other initiative in history. It was initiated by the Premier. V/Line fast rail in Victoria was seen as a shocking financial disaster after its budget allocation of \$80 million blew out to \$1 billion. We have never seen or experienced budget overruns in Victoria to this extent. These are initiatives of the then Treasurer, John Brumby, now the Premier, who to date has been happy to handpass this across to incompetent ministers. We hope the current minister,

Minister Pakula, has a greater capacity than those he succeeds and we gain some answers about what is taking place.

All Victorians watch aghast as time after time the ticketing technology just does not stand up to even the most minor scrutiny. Not only were the machines falling to bits when they were launched, they were not accepting notes, and the process of getting cards into the hands of users was flawed. On top of all that, the system will not even accurately debit people's personal accounts. Why should we have any confidence in the Brumby government ever getting this ticketing process right? The unfortunate part of this sad saga is that we could have purchased workable technology from places like Hong Kong, London or San Francisco at less than half the cost, and we could have had it functioning years ago, much to the benefit of all users.

As this technology is not rocket science, and is far more affordable than the technology Victorians are currently paying for, has the minister any capacity to indicate to not only the opposition but certainly the travelling public in Victoria when the myki ticketing system will be implemented across all our public transport sectors, being rail, tram and bus? Currently some myki ticketing is operating in regional buses, but to date it has not proven successful. The system is so unsuccessful that, although it said myki would be well and truly in place by 2009, the government has not seen fit to try to implement it on anything but the rail system, and it will be some time before we will see myki implemented across the other two modes, if at all. Some of the machinery has been put in the tram network — we have all seen it on a regular basis — and we note that some travellers have endeavoured to use it but have been warned against doing so because the government and the transport department are aware that it is not compatible and will only increase the problem.

Opposition members call on the minister to give us some indication of myki's completion date. We ask that question as an interested party and certainly on behalf of commuters who are quite frustrated with what has taken place and the inconvenience they have experienced to date.

It would not be untrue to say that the Victorian travelling public has lost confidence in the government and its preferred contractor, Kamco, and their ability to deliver the complete myki system prior to the November election. My guess is that costs will continue to blow out unchecked, to the dismay of not only taxpayers but also those who rely on the rail network for their everyday travel.

The second area opposition members have concerns about relates to the braking problems in the Siemens trains. No-one seems to want to get involved in this problem. Various opinions have been put forward, including that the trains are too light to have effective braking capacity and that they are affected by moisture, leaves, unions and Connex's maintenance schedules. Although people have suggested these causes, none of them seem to be the problem. The problem is not new; it has been plaguing the trains on a regular and continuous basis since 2003. Currently there are 36 Siemens trains, of which 7 are not performing. The provider, Metro Trains Melbourne, has ordered a product called sandite to put on the rails to assist with braking, because everyone appears to understand the consequence if we do not move forward and do something. This issue was aptly covered in an article in the *Sunday Age* of 24 January written by Reid Sexton, who wrote:

The *Sunday Age* believes that last Sunday night two trains overshot the platform at Hallam, including a Pakenham-bound train that skidded almost half a kilometre beyond the platform.

No-one was injured in the Hallam incidents but the drivers and a senior Metro source agree it is only a matter of time before a train full of passengers collides with road traffic.

I do not believe we can imagine the worst case scenario. This problem has been outstanding since 2003 and is of major concern not only to train users but to all Victorians — and certainly to those who use the roads anticipating that trains have the capacity to stop when the brakes are applied.

I again ask the minister when we are likely to see this matter resolved. The minister has met with the Department of Transport engineers and he has inspected the rolling stock, so I believe he is very well positioned to indicate when the braking on these trains will be made serviceable and safety will be returned not only to the drivers of these trains, who have a pivotal role, but also the paying passengers who use the trains on a daily or very regular basis.

I turn to our other concern. It is our belief that the rail system infrastructure maintenance schedules are the principal source of concerns relating to the reliability of rail transport in Victoria. Rolling stock presents its problems, but all the best trains — modern trains — will not perform at an acceptable level if sound infrastructure and track maintenance are not in place. My colleague Terry Mulder, the shadow Minister for Public Transport and member for Polwarth in the Assembly, has continually told the government that train performance will only improve when bottom-up planning and strategies are in place.

We know that track drainage, ballast, sleeper replacement, switch gear, overhead catenary power cables and signal overhaul have been neglected over the last decade under this government's stewardship. Indicators under the Department of Transport's long-term asset renewal strategy — a strategy this government supposedly follows to the letter — have fallen well short of expected levels. We are now seeing, for instance, that much drainage work needs attending to in order that ballast be stabilised and that only 35 per cent of the annual ballast replacements are being met — for example, last year only approximately 9200 cubic metres of aggregate was reinstated as against the 27 720 cubic metres that the Department of Transport deemed necessary for maintenance purposes. Further, only 50 per cent of sleeper replacements have been undertaken during the same period, with 27 241 sleepers being replaced compared to the 53 700 sleepers that should have been put in place under the department's own maintenance schedule.

The other thing the government incredibly has failed to do under its schedule is in the area of replacing rails — the actual medium the trains run on. Schedules that had suggested these rails had a lifespan of 75 years are being now pushed out to a lifespan of 306 years. This is an absolutely ridiculous situation, and anyone with even a small knowledge of the transport industry realises it is extremely important that proper regimes be put in place. The strategies are put in place for a reason. For the Department of Transport and contract suppliers, where used, to not be putting this stuff down and to not be meeting those strategies compromises safety at the end of the day, lowers the efficiency of our rolling stock and quite obviously detracts from use of the services by the travelling public.

In the minister's absence I again ask: what provision is being made to get these schedules back in place and to improve the timeliness of transport usage for commuters and the safety that should be part of the system, which I believe is currently being compromised?

The reliability and passenger comfort of the rail service remain a major concern and must be lifted to accommodate expectations and the increased patronage that has occurred in recent years. As I said earlier, travellers have been encouraged to leave their cars at home and take the opportunity to use not only safe but efficient transport services, including rail. One of the main shortfalls we are seeing with our rail system, particularly in the summer months, relates to air conditioning. This is something that has been continually experienced over the last six to eight years — air conditioning has been found to be faulty

and certainly has not been fixed. From anyone's point of view and in terms of maintenance servicing it would not be a big ask, even if we have to go back to the suppliers to get them to stand by some of the warranties they have put on this rolling stock. As I say, this has taken place over the last six to eight years. Even after all this time we are still seeing that trialling is taking place on only 8 individual Comeng carriages. I repeat: it is taking place on only 8 of these carriages, although we have 570 like carriages in the system.

To enable people to realise how small our system is and how big a percentage of it the Comeng carriages constitute, I note that we have something of the order of 1100 or 1200 carriages and that the Comeng fleet makes up over 56 per cent of that total rolling stock. We continue to ask why it has taken so long for these trials to come up with an outcome that is going to offer far more passenger comfort than we have at the minute. More important than passenger comfort is, of course, the fact that, from a driver's point of view, when the temperature exceeds 34.5 degrees the air conditioning is dropping out. Once the air conditioning drops out it becomes uncomfortable and unsafe for these trains to be driven. Obviously they are then pulled out of service, and again we have more commuter frustration. Given the summers we experience, that happens on a pretty regular basis. Again I ask the minister in his absence: when does he envisage that this ongoing saga will be rectified? It is under his stewardship. He has the capacity, and I think the Victorian community deserves some answers in relation to these matters.

Last, but certainly not least, we ask: when will the unreliability and unpunctuality of our rolling stock, particularly in regional Victoria, be corrected? From what we have experienced with V/Line regional services running officially late, for the last 40 consecutive months the Geelong line has been officially late on every occasion. The Ballarat line has been late in 35 of the 40 months, Seymour has been late in 30 of those 40 consecutive months, and the list goes on. The Bendigo line was late for 28 consecutive months over the same period, and the Traralgon and Bairnsdale lines were late for 23 months of those 40 consecutive months. Not one of these services has achieved 50 per cent of what the travelling public has been led to believe it has the capacity to.

If we look further at the performance of the Melbourne–Warrnambool line via Geelong and Marshall, we see that on many occasions the outcome has been appalling for those travellers. Trains have stopped between Melbourne and Geelong. Trains have also run out of fuel between Marshall and Warrnambool, resulting in passengers not being able to

leave this transport mode prior to the arrival of buses, and on many occasions this has caused much frustration to those who have elected to use the system.

To round off my contribution today, I advise that we have many questions for the minister. We believe very strongly that the travelling community has a right to a far greater amount of information. It has a right to know what has taken place, when these things will be corrected, and when greater safety will be offered and not compromised. Those who actually drive and service trains have a right to know whether funds will be made available to give members of the Victorian travelling community some surety as to what is going on in a system which they have been encouraged to use but which is certainly not holding up. The latest proposal in relation to the myki ticketing system tops it off.

My final comment is in relation to the majority underfunded transport plan that the government is now peddling to the community. When I say peddling, it is unfunded because \$38 billion, we believe, is the cost of this so-called program, yet today it is funded to the tune of nearly \$8 billion, so members can imagine the associated shortfall here. I think the government is losing credibility by the day: it cannot fix up what we have got now, and it certainly cannot afford the dream that it is peddling around Victoria. It is high time the spin, smoke and mirrors and other devices this government is using in relation to the public transport system were dismissed. The government should go further towards putting in a transport system that offers reliability, safety and accurate arrival and departure times for all those wishing to use it.

We look forward to the responses from the minister. Again I say, we are disappointed the minister is not in the chamber for this debate this morning. It is very relevant, and it is one of those debates we believe is terribly important in the current environment. We are terribly concerned that the government has dropped the bat. In relation to public transport, the minister's two predecessors demonstrated that they did not have an interest in returning that service to a reliable service for those who wished to use it, or the knowledge to achieve that. We only hope that through the minister's deliberations and capacity we see some light at the end of the tunnel, but with the interest the minister has shown this morning we think it is highly unlikely.

Mr TEE (Eastern Metropolitan) — As the new Parliamentary Secretary for Public Transport I welcome the opportunity to talk about the transformation that is occurring in our public transport system. It is a great time to be involved in the delivery of the public transport system. It is a great time because there is a

massive investment occurring in our public transport system, but this investment does not occur in a vacuum — it is needed to meet the unprecedented demand for public transport. We have, as this house knows, experienced an unprecedented growth in Victoria's population because Victoria is a great place to live, work and raise a family. It has become an attractive place, for those reasons, for families to move into, and those families are commuting and using our public transport system.

In 1999 there were 118 million metropolitan train boardings. By 2008 and 2009 there were 213 million transport boardings. In the 10 years since 1999 train usage has nearly doubled. There has been a massive increase in patronage, and this government has responded to that demand. This government has responded with a massive investment in transport infrastructure. It is a bottom-up investment. It is an investment in trains, it is an investment in all facets: in trains, stations, drivers, rolling stock and so on.

We have a government in Victoria that takes public transport seriously. We have a government that is committed financially. We have a government that has a vision. We have a government that is indeed delivering on that vision. What we are seeing as a result of that commitment is really the decay and neglect of the 1990s being attacked root and branch. There is an impressive story to tell; a transformation is being made out in our public transport system, and it is in that context that we turn to today's motion.

The motion is very disappointing because of its neglect of that context and history. What we are then stuck with is the sad reality of another wasted Wednesday — the sad reality of the opposition. Instead of looking forward, working together and engaging constructively, we have this motion that shows that the opposition has no vision. We have a motion that adds absolutely nothing positive to the debate. There is no policy; there are no ideas; there is no way forward; there is no alternative. Unfortunately and sadly, the motion does not contribute to the public transport debate. When you read through it, you see that it is simply an empty collection of hollow slogans.

The motion refers to the problems with the braking system of the Siemens trains. What members of the house already know is that this government has taken steps to ensure that passenger safety is not compromised. This government has taken steps to ensure that urgent action is being taken to remedy the problem and to ensure that it is fixed as soon as possible. What the motion ignores is the fact that these trains were ordered by National Express — that is, they

were ordered under the franchise agreement entered into by the previous government.

Mr Guy interjected.

Mr TEE — This motion ignores the flawed approach of the Liberal-National coalition that brought this system nearly to its knees. Mr Guy should note that what this motion ignores is what happens when you have in place a competent government that has a better system, and that has in place an agreement and a contract that it is committed to.

The difference is that under this government we have a franchise agreement that is in the public interest. We have a franchise agreement that delivers a better product. We have a franchise agreement that delivers an additional \$500 million for rail maintenance. That franchise agreement will see an increase by more than \$90 million a year to \$200 million for rail maintenance alone. That is the contrast under the two approaches.

We have a new approach, one that will deliver 100 maintenance jobs. What we are seeing under this approach and this agreement is that massive increase in investment, including in maintenance. A great example of that investment is railway sleepers. The motion refers to railway sleepers, but what it ignores is the fact that since 1999, when this government was elected, every railway sleeper has been inspected and, if necessary, replaced.

More recently — and again the motion ignores this — we have seen a massive investment in concrete sleepers. These, as members know, are better for the environment — and I am sure that in their contribution to the debate the Greens will refer to the impact on the environment. Concrete sleepers are better for the environment, they deliver a better ride, they are better for maintenance, and they perform better in extreme weather conditions. Not only have we seen an excellent maintenance regime, but we have seen more than 100 000 concrete sleepers put in place — 100 000 and counting.

Of course this investment in rail maintenance is paying dividends. In January when we had that hot weather — the 40-plus degrees — there was not one incident of infrastructure fault. So when you put in place the proper maintenance regime, you start to see those dividends flow through.

Fortunately, members of the opposition have a choice in this debate. They can contribute constructively, they can engage, they can work with the government, they can be part of the solution, or they can stand on the side and be irrelevant.

This motion suggests that Mr Guy has chosen the low road, just as his party did when in government. There was no vision then and there is no vision in this motion. There is no policy in this motion and it is adding nothing.

But the greatest contrast in the approach of the government and the opposition when it comes to transport is to be seen in regional Victoria. That is where you get a clear sense of the difference in approach and what happens on the ground when you have the difference in approach between this government and a Liberal-National party. The Liberal-National party, as members of this house and this community know, strangled regional centres by cutting off rail lines that were vital to the development of regional communities. The Liberal-National party approach was to close services to Mildura, Ararat and Bairnsdale and to privatise the line to Warrnambool. The contrast could not be more stark in terms of the vision that this government has for vibrant regional centres that are connected by a modern rail system. This government has that vision for modern regional centres and has delivered on this.

Our regional centres in Victoria are now dynamic. They are thriving, successful communities, which is a complete turnaround from what happened under the approach of the previous government.

Mr Koch interjected.

Mr TEE — This turnaround in regional communities, which are represented by this government — by members on this side of the house — is no accident. It is the product of this government's policies: it is the product of that investment in rail, with 400 new rail services. Mr Koch says, 'Travel on trains'. People can — on 400 new railway services, which show again the contrast. The opposition cut services, but the government has introduced 400 new services with 100 new rail carriages in regional Victoria and people now have the opportunity to use them. What we have again is that wonderful contrast in the two approaches. We now have a regional Victoria which is connected. Now it is feasible to commute from regional Victoria to Melbourne. That option has been taken up by many and has opened up those regional communities to new families. It has been a major contributor to the way that those communities are thriving, growing and being transformed.

The motion refers also to the myki ticketing system. It is worth spending a few minutes talking about the lack of alternative approaches in this motion. No alternative has been put forward in the motion; nothing

constructive has been put forward. What we have is an opposition that is critical of myki, an opposition that would leave Victorians stuck with the existing ticketing system, which has been maintained well but which has passed its use-by date. What we have is this contrast, where if we ever had the misfortune of a Baillieu-led government, we would have commuters condemned to using the existing system, which is a Dickensian, creaky, expensive and outdated ticketing system, while the rest of the world is moving on to smartcard technology. While the rest of the world is moving to that technology, Victoria would become a transport backwater — a sort of oddity in the international community. In order to get tickets, you would be standing in long queues, fiddling for your change and wasting your time trying to buy a ticket.

This government has a better vision with the myki system. This government has a better vision for a durable system. It has a vision for a system that is smart and that will save money. It has a vision for a system where commuters will be able to automatically calculate the cheapest fare, which will take the hassle out of choosing which ticket to buy. What we have got is a faster and cheaper ticketing system for commuters.

The opposition is opposing the move from the complex current system, where we have 16 ticketing options, to the one simple system. The opposition is opposing the \$17 million that passengers will save because of the new ticketing system. Because they will have a system that automatically calculates the cheapest ticket available, \$17 million will be saved. The opposition is also opposing a ticketing system that will mean that for the first time passengers will have a ticket that can be used on the Metcard system and also on the V/Line ticketing system — —

Mr Koch interjected.

Mr TEE — There is no alternative here, Mr Koch. All Mr Koch is saying is that he does not like myki. He is not putting up an alternative. He is referring to the original system, because there is no alternative being put forward. As the minister said, when you introduce a new system anywhere in the world, as has been done here, there are inevitably initial problems. There are issues that need to be worked through. This government is working to ensure that those issues are worked through as quickly as possible.

The opposition had a choice. It could take the high road, it could work with the government, it could show some leadership, it could demonstrate some principle and it could work in the public interest. It could have worked with the government to bed down the system

and to iron out the problems. It could have got on board — —

Mr Leane — Get on board!

Mr TEE — Get on board! But no, there has been no such vision and no such principle from those members opposite. There has been no constructive engagement or any engagement. It is for those reasons that this motion is such an unfortunate waste of time. Sadly it does not make any contribution. Victorians will remember this motion and the fact the opposition has not done the hard policy work. It has not contributed constructively, has no alternative and has no vision. Victorians will understand the opposition does not make a contribution and has nothing to add when it comes to this debate.

In conclusion, we have a government that is transforming the system, whether it is rail sleepers, train numbers, ticketing or regional rail. Victorians have a government that has a vision; they have a government that has made a massive investment. The alternative which has been proposed is not an alternative; it is an empty contribution and an unfortunate waste of another Wednesday.

Mr BARBER (Northern Metropolitan) — Mr Koch's motion tells members what any commuter can tell members — the public transport system is fairly stuffed. But he does not really tell us why; he just blames the government.

The reason we are in this situation is that in living memory no state government, Labor or Liberal, has had a 10-year plan to maintain and upgrade the public transport system. This is how we got to this position. That is why decade after decade Melbourne's standard of transport stays static, and the gap between Melbourne and other cities — like Copenhagen, London, Barcelona and Toronto — just gets bigger and bigger. Lots of Melburnians have been around the world, so they have clearly seen how public transport can and should work. They return home to this crisis situation.

Towards the end of his contribution Mr Koch talked about the public's right to know about how these problems will be addressed. Only through a government preparing a 10-year plan for the direction of the public transport system can the public ever know what is happening and what to expect.

Likewise Mr Tee said that the government has a great story to tell. I am not sure where I would go to see that story. If I go to the Victorian transport plan I see a wish list of bids for federal funding. The very fact that the

government is running ads on television saying it is all part of the plan tells us what its market research is telling it — that its big negative is that nobody knows or understands what the government's plan is. Only this government could think running ads saying it is all part of the plan would convince people that there is a plan. Most people want to see and understand the plan — or at least have some confidence in the group of people who are preparing it.

This issue should be about as controversial as sewerage — although these days sewerage is not so uncontroversial, either. It should just be something that everybody understands and knows where it is going year after year, with the same amount of money put aside, constant improvement and achievement of higher and higher standards. The reality is that with all public transport users — and we have found this around the world — no matter how much you improve the service, their expectations are raised for the next level of improvement. There is nothing wrong with that. It is simply a dynamic that any public transport minister needs to live with and understand. If public expectations are constantly rising, then that needs to be the engine. The government needs to link its planning to public expectations and let that be the engine for continuous improvement.

When the Liberal Party puts forward some of these issues and talks about particular things as it has in the motion — Mr Koch also expanded on some of those, referring to saggy wires and not enough rocks being laid or not enough sleepers being changed over — it is in many ways getting sucked in by the constant stream of ever-evolving excuses that Connex, the state government and now Metro Trains Melbourne likes to roll out.

Through the inquiry into train failures, which the Greens initiated, members of the select committee were able to get hard data on the causes of the failures. Buckled tracks during a heatwave certainly make a spectacular photo for the television news, but they were in no way the major cause of cancellations during those heatwaves. I might come back to those with some examples.

Another example of the lack of transparency around how our system runs is that each day we can have a new set of excuses for why failures occur. The bloke who ran the railways in Melbourne in the 1920s said then and would have said now that running a railway system is 90 per cent men and 10 per cent machine — excuse me for the non-gender neutral language, but that is the way he would have said it. So when members of the Liberal Party keep talking about infrastructure and

maintenance, how many rails have been replaced and so forth, of course that is all true and there needs to be an ongoing asset management plan, but it is the way the railway system is run across that infrastructure that decides whether or not trains leave.

The dataset available to the committee — and here we are talking about a subject that is still under inquiry by the Parliament — makes it quite clear that the vast majority of train service failures are both predictable and manageable. There are 2000 failures per month. We got six months of data, so we had data about 12 000 different delayed or cancelled trains — and staff in my office went through them all. There would not have been one excuse in there that was either unpredictable or unmanageable. There were examples such as a driver turning up and finding a condom in his carriage and that leading to a train being delayed so long that effectively it became a cancellation.

There is a vast number of different causes of delays and cancellations, but all of them come back to the fact that nobody in the rail system really gives a damn. We know that that starts at the top with the minister. Actually it starts with a policy decision of this government to continue the Kennettised, privatised model where there are contractors and subcontractors dealing with every aspect of the rail system.

I will give members another example of how this works. On Monday I turned up at my local railway station at Brunswick. On that station there are five or six perspex-covered noticeboards. Someone had come in and put on every single one of those noticeboards signs saying, 'Myki is here' with instructions on how to use a myki card. In the process they took away the noticeboard that had the train timetable on it and the one with a map of the system on it. Who did that? Given the way this system is structured, which is fundamentally the same way the Kennett government structured it, the possibilities are that it was whoever is responsible for advertising signage on the public transport system, and that could be an external advertising agency. It could have been whoever is responsible for the physical infrastructure — and there could be a separate lease for the rail and another one for the buildings. It could have been Metro Trains or the Transport Ticketing Authority also known as myki, which is in fact a state-owned enterprise reporting to the Treasurer. The Minister for Public Transport is actually a client of the Transport Ticketing Authority. It has its own board and I do not know who it is accountable to or for what.

In the good old days there would have been a stationmaster who would have taken care of that

station, but now you could have anyone putting up and taking down notices. It would be difficult to find out how that problem occurred. It could have been any one of a number of contractors or subcontractors, all with legal contracts between each other about who is responsible for what and ultimately with no responsibility for anything. Since that is clearly the attitude that has been laid out at the highest levels, it is no wonder that it works all the way down to individual employees, contractors, cleaners and what not, who say, 'It is not really my responsibility. I have this contract and I deliver according to that contract'. It just does not work. No sensible organisation in the world attempts to run a system in that way — no successful one, anyway.

Some of the matters referred to in this motion are correct in that they are obvious failures, but it is not as obvious what or who would be correcting them, because there is an interlocking series of different contracts for delivering different services, with nobody really at the top of the system.

There is no doubt about the validity of Mr Tee's statement that regional rail has revitalised a number of regional communities served by those trains, because when you go out to those communities that is what people all tell you. They say it is great. They say, 'I live out here and I take the train'. That train is often overcrowded, sometimes it is late, it runs more slowly during heatwaves and so forth, but the basic core service of those regional rail networks is a success story in those communities. But if we look at the overall transport picture for those communities, we see something that is pretty poor beyond those lucky enough to be within walking or bike riding or perhaps driving distance of their nearest railway station.

Why does Geelong not have the same standard of public transport as Melbourne has? It is only for historical reasons of historical differences. There is no good reason why a city the size of Geelong should not have the same sort of coverage, frequency, expansive hours and options that a similar sized part of Melbourne would have. I do not know of any similar sized part of Melbourne that has as bad a public transport system as has Geelong. Quite simply, as the minister said in answer to my question yesterday, we work out the priorities for each community and we give them a little bit more each year, but we do not ever set a minimum standard and say, 'This is a fair and decent standard for all communities'.

If you were trying to move around within some of our regional towns and cities, you would not find your options much better. Big places like Shepparton and Mildura have some internal buses, but you only need

look at the statistics for car ownership and mode share in those towns to see that most people are dependent on cars and cannot rely on the public transport network in the way we who live in Melbourne suburbs take for granted. What that means for those communities is that for a young person wanting to get a job, their first qualification for that job has to be a drivers licence and the ownership of a car, and it means that the first day or two of the week that they work that job is simply to pay back the car that they need to get them to the job. Never mind if they are young people looking to get around, to visit friends or to participate in education, or even those issues of where young people go at night and how they get home from parties and so forth. There is nothing on the horizon for major regional towns that says they will get the sort of internal public transport network that almost every suburb of Melbourne has the basis of.

The options to get to those towns from rural areas are certainly limited. There are infrequent bus services that go along the Great Ocean Road from Warrnambool, or in and out of places like Bendigo and Castlemaine. If you are lucky there is a daily bus that might get you to the shops and back, but it is largely a social welfare service in that it allows pensioners, or other people too frail to drive, to get to the shops, cash their pension cheque, get some groceries and get home in the same day. It is not the sort of network you would expect.

If you go to other parts of the world — for example, Europe — you find extensive areas of large cities and small towns, and across the board a lot of people move around by public transport. Victoria is not so widely dispersed that it could not have a more connected rural system that would give people options around education, work, medical appointments and so forth to get them from their small hamlets to regional centres.

In the last few weeks the Siemens trains have had a bit of attention again. What is the problem with the Siemens train? Quite simply, it is a lemon. I do not want to go on talking about it forever, but that is the problem. My information is that the Siemens trains were ordered by the Kennett government under a specification document that ran to about five pages.

Mr Guy — No, that is not true.

Mr BARBER — About five pages was the original specification under which the Siemens trains — —

Mr Guy interjected.

Mr BARBER — Thank you, Mr Guy. The specification for the Siemens train was put out by the Kennett government.

Mr Guy — The specs were.

Mr BARBER — Thank you. That specification ran to about five pages. That is my information. A specification for a train these days, including the trains that we are ordering — maybe somebody from the government can confirm this — runs to hundreds of pages. So in a five-page spec — and I am happy to be corrected by anybody from either side — what do you reckon were the specifications around braking relating to local conditions? A standard condition is train brakes that work, but to talk about particular conditions that might occur in a city — they would be different in every city — would have required the kind of information and data that I do not think we have even now.

I do not think we have much information on the performance of the rails in various climatic conditions. We are finding that out by trial and error each time a train overshoots. That was only to do with the initial order of Siemens trains, well after the time when these braking problems had already been located.

My information is that an option was exercised to purchase further Siemens trains. That seems to me to have been another crucial step along the way that has put us in the position we are in now. While we hear the government has ordered a few dozen more new trains, there are a few dozen Siemens trains out there that are just unreliable. We are still not moving forward when it comes to our basic fleet. That all comes back to the need for a 10-year plan. Such a plan should not only address how you keep up with the required maintenance but also what you are doing with the system, how you are expecting it to grow, where you are expecting it to go and what you want to happen. Do you want more people using public transport? How many?

Poor old Lynne Kosky, the former Minister for Public Transport, seems to have taken the blame for what has happened under her tenure. We should remember that a former Minister for Transport, Peter Batchelor, who is now Minister for Community Development, was responsible for this system for the first seven years of the current government. I cannot remember the outstanding achievements in public transport of that period. A few SmartBuses and the aforementioned regional rail network was about it. But Mr Batchelor did not carve out for himself a legacy of setting up the type of 10-year strategic planning that could have been rolled on into the future, regardless of ministers and even governments coming and going, so that the public would have confidence that whatever happened there would always be a coherent plan for public transport.

The government made a plan for a plan. The government had a train plan, a tram plan and a bus plan. Some bureaucrats were ticked off to write those plans in about 2003. In 2002 the government introduced the Melbourne 2030 metropolitan plan, which set up the target of a 20 per cent modal share for public transport. The bureaucrats must have thought it was Christmas when they were told to go away and write a plan on how to achieve a 20 per cent modal share by 2020. Given that there was a growing population and transport requirement, this meant more than just a doubling of public transport patronage; it meant a doubling and then an increase.

The plans themselves are quite good. They are not finished plans; they are simply a scoping exercise for what a really detailed plan would look like. But it is all there. The analysis covers how many people are riding the rails and then gives an estimate of how many trains would be required, the frequency at which these trains would have to run, the capacity required and then the recommendation of a growing series of purchases of new trains, trams and buses. The analysis also included detailed feasibility studies on late-night tram services, which routes to run and at what time and what the expected returns would be. Then it covered who you would be competing against. Would it be taxis or people driving? Would it be the inner city or the outer suburbs? Would it be the NightRider bus? This analysis represented the beginnings of a basic, understandable plan.

This is the way governments used to operate. We are here debating a growth areas infrastructure contribution tax that is meant to provide the funds for transport infrastructure in growing suburbs. Once upon a time governments would make a plan and then borrow money, and then they would pay the money back over the life of the asset. That was normal. These days you are stuck between special taxes and largesse from the federal government — that brief spurt of money that we had over a year. That was nothing like rational plan.

The Greens did come up with a transport plan, which is not too bad given that we do not have any access to bureaucratic resources. We did not call it the 'transport plan'. We called it the 'people plan', because we wanted to clearly set out that it was a plan for transport that people would own and people would understand. The plan could be directly written and prepared by people, ordinary citizens, via their local governments in the way that other successful transport systems have been planned and then run — the Vancouver model, for example, where the local governments actually came together to write the metropolitan strategy. The model established a transport authority with elected and

appointed board members that would run the system according to yearly benchmarks that everyone understands.

It is interesting to note that V/Line operations follow that model. It is a tenth of the size of the metropolitan system in terms of numbers of people moved. Nevertheless it has a board. The board does what a board should do. The executives do what they should do: they ride around on their trains and listen to people; they find out what people are talking about, whether it is the frequency of services or how steep the back of the seat is and whether it is comfortable for someone sitting in it for a number of hours. V/Line publishes all of that feedback on their website.

I know country members, like all rail commuters, have frustrations with the level of service. That is a function of frequency, because if you have infrequent services and they are getting cancelled, you face a really long wait. If you have frequent services, it is not so long until the next one comes along. Frequency is speed, in a way, especially when you are riding on more than one transport system. If you have to come up from Princetown to Warrnambool to get on the train to go the city, then the frequency of those connecting services can be incredibly important. That is where we come back to the idea of 90 per cent men and 10 per cent machines.

If those timetables are written correctly, you can have what is called pulse timetabling. All the trains come into Southern Cross station with just enough time for everybody to go and switch to the next train they want to get onto, and then they all go out again. As they hit each town, the V/Line bus is sitting there waiting for people to get off, and then that bus goes off to the next one, which you may even hope would connect to some of those few small regional bus lines that are out there, run by small operators. This is called pulse timetabling. It does not mean you have high frequencies but it does mean everybody is connected and so you minimise the waiting times.

I travel to the bush by public transport all the time, even to go bushwalking and camping. I use that thing to plan my journey, and sometimes you realise you are not going to get a connection. You might have a 13-hour layover in Horsham as you try to get from that train to that bus to the local bus. It is just not feasible because they are not really coordinated in that way.

That is our view of what we need to do to fix the system. It is not simply a matter of fixing the maintenance of lines or the maintenance of signalling. Of course all those things need to be done and all of

them are causes of delays, but the public is out there asking why, and what we are saying is that in planning to fail or failing to plan nobody is really responsible and the public does not really know what that plan is and therefore they do not have confidence that the system is being properly maintained.

We are in a very confusing stage at the moment, not just in transport but also in water. They are two fundamental and basic services that nobody used to take any notice of when they worked. The sort of people who went to work running those systems were pretty conservative, unexciting engineering types who used to run the system quite conservatively with steady improvement each year. These days people at every dinner party are trying to have an argument over how we need to fix water and transport without having a lot of true information which can tell us exactly what the problem is.

I know it is a major drain on the government's political fortunes at the moment. You do not necessarily lose elections for stuffing up the arts portfolio, but if you are perceived to have stuffed up basic and fundamental services like transport and water, you have one hell of a job to convince the public otherwise. Yes, the government thinks it has got a bit of a story to tell. In some ways its approach of putting up billboards next to individual projects and saying, 'Hey, isn't this wonderful? It is all part of the plan' just confuses people more. People do not understand what the plan is, and they no longer simply trust the government to run it. They are asking questions.

This is a worthwhile motion if it means we have an opportunity to further debate the matter. Years ago the Greens put forward their alternative with the vision being that you could live in Melbourne and not own a car and still participate in all of the basic things that make this a great city to live in. While there will still be plenty of people who want to own cars, the basic system of a train every 10 minutes, a bus that meets every train, every one of Melbourne's 200 activity centres being connected by high-frequency public transport and everybody being within 400 metres of a service that meets their needs is just a basic benchmark. Political parties, both Labor and Liberal, have to step up and say what their offer is, and then we can have a debate about the best way we can achieve it.

Mr GUY (Northern Metropolitan) — I rise to support David Koch's motion on the state of the public transport system in Victoria today. There is a lot to get through. I have heard a lot of, 'I have heard', 'I believe' and 'I am told', but I think it is time to inject some fact into the argument about why we are having this debate

today because without doubt public transport is one of the biggest issues in the state of Victoria today, and it is one of the biggest issues in the minds of all people, particularly in the metropolitan and regional areas of Victoria, who are putting up with a substandard public transport network, particularly rail, after being told for a decade that things are going to happen, that they will happen or that they are being promised by the bunch of gonnas opposite.

Before we get into the debate it is important to note that on 25 June 1999 — and I have used these media releases before as facts to enlighten the Parliamentary Secretary for Public Transport, who has vacated the chamber along with the minister — the Kennett government's franchise agreements were announced. The life of the franchise agreements was 12 years. A media release from that day states very clearly that there was a forecast rise of:

84 per cent on Bayside Trains, 40 per cent on Swanston Trams and 74 per cent on V/Line Passenger ...

These patronage figure increases were lambasted by the Labor Party at the time. They were considered unrealistic. In opposition at the time the Labor Party said the unrealistic forecasts were being put forward to prop up the price and the value of the franchise systems. The reality is they were true. We said they were true at the time, and the only people who did not get it were members of the Labor Party. To run around now and to say, 'We did not realise the transport system was going to be so overwhelmed' shows they are on another planet because the reality is they knew about it, and no doubt they knew about it from their briefing notes when they came to government in October 1999.

I heard Mr Tee say there was a decade of neglect in the 1990s and that there is an impressive story to tell at the moment. He said there is a whole bunch of hollow slogans accompanying opposition rhetoric. All I heard from him was a bunch of hollow slogans, nothing about what has occurred in terms of promises matching investment today. Many promises were made by the people opposite about the transport network. I remember some of them being made. I remember the late 1990s when the Labor Party promised flyer trains along a lot of the metropolitan rail networks in Melbourne, saying the increase in flyer trains would accompany the new railway lines. It promised to standardise the regional and country networks for \$96 million. Can members believe it? It is like saying, 'We will buy the World Bank for \$110'. Standardising the country rail network will cost more than \$96 million, but these guys promised it as one of their key promises going into the 1999 election.

Mr Drum — They did not do it.

Mr GUY — They did not do it, Mr Drum. They did not do it at all. There were promises of passenger trains returning to Mildura and Leongatha. If you are trying to get a passenger train from Leongatha to Melbourne, you might want to go on a Sunday when they operate the little tourist railway for about 3 kilometres up the line. That is all that operates. You might want to hitch a ride on a seasonal grain wagon from Yalta back to Maryborough on the Mildura line, which is heavily speed restricted, because that is all that operates there now. There are certainly no passenger lines.

Of course the big one was the promise to triplicate the rail line down to Dandenong. The Labor Party made that promise to fit in with its flyer train promises. It said, 'We are going to triplicate the line to Dandenong'. It is their rhetoric; it is not the rhetoric of anyone on this side of the house. Members of the Labor Party promised it, and the reality is it has not happened. The promise was scaled back by the Department of Treasury and Finance and the then Treasurer John Brumby who said, 'We are only going to triplicate it to Oakleigh. We do not need it to Dandenong'. Of course that was scrapped. There is now no triplication. I notice the Minister for Public Transport was out launching some track works at Westall the other week. That is fine, but it is a far cry from triplicating the line to Dandenong or to Oakleigh. That is what the government promised, but it has not delivered. That is why we have ghost stops on the network, because the government has not invested in what is critically important — signalling and track work.

When the government came to power it said there would be a range of electrification upgrades in the city. Again, we have been promised Sunbury, we have been promised Melton and we have been promised a range of other upgrades. The one that was delivered was Craigieburn, but it was done on the cheap.

As we know, Craigieburn crosses the standard gauge line. Before the upgrade Craigieburn station had two platforms. It was a little old railway station with the standard gauge running on the eastern side of the platform with trains going through at about 130 kilometres an hour. The government said, 'We will put in two platforms. We will put in a footbridge. We will make Craigieburn a fantastic car storage train station from where people can catch the train to the city'. As I said before, the reality is that it has been done on the cheap. In fact, there is one platform that is used for electrified trains on the up line for the north-eastern passenger services to Shepparton. There are trains sitting in the middle of a country railway line

which now have to be slowed down to run on the Melbourne-bound line — the up line — to go north and then cross the tracks to get out of the way of the suburban trains on the network because the government did not build the third track at Craigieburn.

It also skimped and did not build the footbridge as promised, so every day school kids, mums and dads and ordinary people have to cross on a ramshackle walkway the Melbourne–Sydney standard gauge railway line where interstate freight trains are going through at 70 kilometres an hour, the XPT is going through at 130 kilometres an hour and soon some of the V/Line passenger trains will go through on that line to Albury as well. You have a range of trains going through that area, but the government did the Craigieburn line on the cheap.

I do not want to get into the South Morang situation. I mean, where do we start on South Morang, which is in my own electorate? It involved a 3-kilometre railway extension. The government had the land, all it had to do was lay the railway track. Westfield said, 'We will pay for the station if you build it to Plenty Valley town square'. It will have taken, by the time it is supposedly finished, 14 years to build 3 kilometres of railway extension. Fourteen years! It is going to cost the government half a billion dollars.

In comparison, the Western Australian Labor government built 70 kilometres of duplicated, brand-new track with 12 stations from Perth to Mandurah at a cost of \$1.3 billion — and it paid for the lot. I do not know who is doing the contractual works for the Victorian Labor government or whether it is being done by Dodgy Brothers and Company, but the reality is it seems to be costing an extraordinary amount for a 3-kilometre railway line where the government owns the land.

The Southern Cross station project has blown out by \$110 million. We knew from the start it was going to be a disaster. It is a nice design, but its operations have been a complete financial disaster.

I heard Mr Tee talking before about the brand-new V/Locity railcars this government has supposedly ordered for country and regional Victoria. Again let us inject fact into this argument. The transport franchise agreements put forward by the Kennett government in mid-1999 say very clearly:

... \$158 million in 58 high-speed diesel multiple units (DMUs) for country rail services, coming into service progressively from 2002 ...

They were to operate at 160 kilometres an hour. Typically, all the Labor Party is doing is taking credit for something that someone else had put in place and that a private company was to pay for and operate. The reality is that as part of the franchise agreements put in place by the Kennett government, it was always set in concrete that diesel multiple units would be operating to regional Victoria at higher speeds. Then these guys got to power and decided that for \$100 million they would supposedly upgrade the track in country Victoria to run at 100 miles an hour. It should be remembered that during the Kennett government's time in office we increased the country rail passenger speed in Victoria from 115 to 130 kilometres per hour along every major intercity line in Victoria. For the first time since the 1930s, for the first time since Harold Clapp ran the railways and brought in the *Spirit of Progress*, we increased country rail passenger speeds and then we organised to do it again in 1999.

Members opposite run in here and say, 'Look how good we are!'. But let us have a look at some facts about this supposed fast rail in country Victoria. Fast rail in country Victoria is supposed to run at 160 kilometres an hour. The Labor Party gloats about how it has brought regional cities closer to Melbourne on these brand-new high-speed lines. But how much of it is operating at 160 kilometres an hour? Let us look at the facts. The Melbourne–Geelong line is 75 kilometres. How much of the 75-kilometre track is running as a 100-mile-an-hour track? Werribee–Lara, which is just under 25 kilometres, is a 100-mile-an-hour track.

With the government's new regional rail link, or whatever they are calling it, which will run from Werribee to the Ballarat line, what you are going to have is an extra couple of kilometres added to the Geelong line and four or five stations added, and it is going to take even longer than the brand-new trains and the new timetables that the government introduced to run as a high-speed service. The government is going to slow the trains down by running them on a longer track, up through Manor and Manor Lakes and onto the Ballarat line, and at a slower maximum speed on a new line when they get back onto the suburban services and bank up on the Ballarat line. The truth of the matter is that the government is slowing down its own Geelong line services as we speak.

What about the Latrobe Valley line? Again the Labor Party gloats about bringing in 100-mile-an-hour services. The truth of the matter is that, as we know, the vast majority of country rail services are held up when they enter the metropolitan network; the hold-ups are not on the country rail network. However, that aside,

Pakenham to Longwarry, which is one of the two lines, runs at 160 kilometres an hour. The government did not upgrade the second line. That still operates what is called a class 2 track at 130 kilometres an hour. From Longwarry to Warragul both lines run at 130 kilometres, so there is no increase in passenger speed there. From Warragul to Moe one line runs at 130, so there has been no upgrade, and one line runs at 160, so only one has been upgraded. From Moe to Morwell, through Hernes Oak and the Haunted Hills, the one line that is there — because it is single track from Moe — operates at 130, so there has been no rail passenger speed upgrade there. The line from Morwell to Traralgon is back to 160.

I refer to the Bendigo line. When Labor got into power they scrapped the duplication. Who scraps duplications on commuter lines in this day and age? This government does. From Kyneton to Bendigo the duplication of 70 kilometres of 160 kilometres of track was scrapped, and the government put in crossing loops where the other trains will apparently cross them — again, at a restricted speed of 130. You have a whole range of lines across this supposed regional fast rail network where the government supposedly introduced 100-mile-an-hour trains — which was in fact an idea of the Kennett government — which are running at below the maximum speed.

Let us look at other states as a comparison. Trains on the Redfern–Strathfield line, on which the XPT operates at 100 miles an hour, or 160 kilometres an hour, run at 115 kilometres from Redfern, which is from about 2 kilometres out of Sydney central, to Strathfield, which is about 15 kilometres out of Sydney central. From Strathfield onwards the XPT runs at 100 miles an hour through the suburbs, and that is why New South Wales has sped up its rail passenger speeds and improved its timetables.

In Queensland the National Party government invested a lot of money in electrifying and fixing up the rail network, and the Labor government and others then brought in ideas to bring in tilt trains and other things. From Roma Street to Caboolture sections of line can run up to 100 kilometres an hour, and from Caboolture onward they run at 160. Not 160 in bits; not 160 for 20 per cent of the journey. Where it can it runs at 100 miles an hour. From Beenleigh South the Gold Coast line runs at 145 kilometres, or 90 miles an hour on the old scale. That is from Beenleigh South all the way at 90 miles an hour. That is a commuter line, and that is what you get when you really invest in regional rail upgrades.

This government is taking credit for things it has not done. Two level crossings have been eliminated in the Melbourne metropolitan network in 10 years — one at Narre Warren and one at Middleborough Road. This government is constantly talking about level crossings being a chronic problem for Melbourne, and yet all it has done in 10 years is eliminate two. It is quite astounding. Of course neither of those are in St Albans or Reservoir; they are actually in marginal seats. Why should we not be surprised!

Do we have to start on myki, that \$1.3 billion blow-out? That is an amazing blow-out of money for a product that does not even work. For \$1.3 billion we could have redone the entire regional supposedly fast rail network upgrade and then some. We could have done it all again. We could have reinstated the duplicated track to Bendigo. The government could have added the triplicated line from Dandenong to Melbourne. The amount of capital works track upgrades that could have been done to the metropolitan rail network with that \$1.3 billion to get regional trains into the city faster and avoid delays in the timetable is astounding. Instead we have wasted money on a ticketing system that does not even work.

What I find absolutely amazing is this government gloating about concrete sleepers in the tracks. Unlike in South Australia, unlike in the national rail network in other parts of the country, none of our concrete sleepers has the ability to be standardised should we ever standardise the track in Victoria. Thousands of new sleepers — a quarter of a million sleepers — have been ordered and delivered for the suburban line upgrade and all of them are broad gauge.

Mr Drum — All of them are broad gauge. None of them are gauge convertible!

Mr GUY — You are quite right, Mr Drum. None of them are gauge convertible on the regional supposedly fast rail to Bendigo and Geelong. Who are we going to sell these 5-feet-3-inch-wide broad gauge sleepers to when we have to put in standard gauge? Are we going to sell them to the Irish, the people gave us the 5-feet-3-inch-wide track? We cannot duplicate them. It is a gross waste of money and a typical example of how this government does not think ahead when it comes to public transport in Victoria.

I heard Mr Tee talking about line closures and lambasting the coalition for closing lines. Let us have a look at the last couple of years. Let us look not 5 years ago or 10 years ago but at what has happened in country rail in Victoria in the last 2 years. On 18 January 2008 the Robinvale line —

310 kilometres — was technically booked out of service. On 3 January 2008 the Kulwin line — 200 kilometres of track — was technically booked out of service. The speed on the Moulamein line — 130 kilometres of track — has been reduced to 30 kilometres an hour. The Warracknabeal–Hopetoun standard gauge section — standardised by the Kennett government, I might add — has 60 kilometres of track which is down to 30 kilometres an hour as a maximum speed. The line that runs from Ouyen to Pinnaroo at the South Australian border — 140 kilometres of track — wait for it, Acting President, runs at a maximum speed of 20 kilometres an hour. These are the people who are supposedly upgrading country rail in Victoria. This track is down to 20 kilometres an hour. There may as well be three or four crews on the train because by the time it leaves Pinnaroo and gets to Ouyen the week is probably over. The union working week will be long gone.

We should have no doubt about this government's inability to manage the system when we are talking about transport. Mr Tee was talking about the Siemens trains, which he says were ordered under the Kennett government — that is completely false. This man is the deputy transport minister in this state, but he clearly knows nothing about the portfolio he has inherited. Under the Kennett franchise agreement a series of specifications were put out about what kind of trains might be needed for the Melbourne metropolitan rail network. It was then up to the private companies to liaise with the then government and look at what kinds of trains and the specifics that would be required for their order and operation in Melbourne

The government changed four months after the franchise agreement was put in place, so the minister who managed those contracts was the government's Socialist Left buddy Peter Batchelor, now the Minister for Energy and Resources. I will tell members how good he was. Before those contracts were signed we had two kinds of trains on the network: the Comeng trains and the Hitachi trains. We had to train drivers just for the Comeng trains and the Hitachi trains. After Peter Batchelor got hold of the contracts we had the M>Train Comeng trains, the Connex Comeng trains, the Siemens trains, the X'Trapolis trains and the Hitachi trains. We had to train drivers for five different kinds of train to operate on the Melbourne metropolitan rail network — and you wonder why the system is in a mess. It is because those guys could not manage those contracts. They could not even manage to get the computer systems on the couplings between the three-car sets to be on the same side of the coupling. The Connex Comeng trains had the computer sockets on the left side of the coupling and the M>Train

equivalents were on the right side of the coupling. It was such an episode to get them reversed; that cost millions of dollars. But that is what happens when you let the Labor Party loose on public transport.

In wrapping up I will say that the Labor Party in this state has a history of mismanaging public transport. Do we remember Jim 'Scratch Tickets' Kennan, the man who wanted to close the Upfield line and whom many in this chamber, including Mr Lenders and a bunch of others, worked for and took their lead from? He wanted to close the Upfield line and make it a light rail as they did to St Kilda and Port Melbourne. They took the trains off and replaced them with trams and they are running around saying, 'What a success!'. In the days of huge patronage growth the Labor Party took them off.

Remember the XPT fiasco? Coming into, wait for it, the 1985 election the Labor Party said, 'We are going to get XPTs into Melbourne'. It made the same promise three years later in the 1988 election: 'We are going to get XPTs into Melbourne'. What do you reckon former Premier Joan Kirner was promising in the 1992 election? You got it! She was going to get XPTs to Melbourne seven years later. It was the Kennett government that brought the XPT to Melbourne seven years after Labor promised it.

But we should not be surprised, because if you look north of the border, you will remember that another guy promised upgrades just before an election. I think Nick Greiner at the time called him Joan Kirner in pants. His name was Barrie Unsworth, and he brought in the Tangaras just before the 1988 election. Funny that. I was 13 years old in Sydney watching the Tangara ads on TV, which said, 'You too can travel in 21st-century trains like this'. It was a Labor government advertising brand-new trains, and the minister, Terry Sheahan, was on TV saying, 'I make no apology for advertising the XPT or the Tangaras to get up patronage'. That is what these guys do: they advertise. It is a tried and true lesson. It was done by the Wran government, the Unsworth government, the Cain government and the Kirner government. There were promises, promises, promises which never matched delivery.

Of course the one fiasco we do remember was Kirner's proposed introduction of double-decker trains into Melbourne. We spent millions of dollars to lower the track at Flinders Street station so we could get double-decker trains under Princes Bridge. Joan Kirner — I might add people on the other side of the chamber who are now ministers worked for and took their lead from her — was so desperate to get advertising on TV for double-decker trains that they

were going to limit the floor height of those trains to 6 feet. That would not have affected people of my height, but people like Mr Vogels would have bashed their heads when walking onto those double-decker trains because they were going to be done on the cheap.

Those trains were modelled on the Tangara trains, but they broke down and every second day they had to be withdrawn from service. They were less reliable than a Tupolev — that is, less reliable than an Aeroflot domestic plane. These are the guys who are managing myki and the rail system in Victoria today. These are the guys who are saying, 'Trust us. The system is fine; the system is sound; the system is solid'.

The truth of the matter is that the system had been chronically underinvested in when it needed to be invested in. You can have government advisers put out all the spin they like, but the reality is that the facts do not match the government's slogans. The system has been chronically underinvested in. The fact is that while in government the Labor Party promises everything for trains but delivers very little. The proof is in the pudding, in the Cain and Kirner governments and the New South Wales governments. Labor governments have done it on the cheap in Victoria, and they are now paying the price for a decade of mismanagement of our public transport system.

Mr LEANE (Eastern Metropolitan) — It is good to be back on a Wednesday! In speaking on Mr Koch's motion I turn directly to paragraph (d), which makes a statement in asking the government:

what steps will be taken to examine and explain the chronic metropolitan and country rail unpunctuality, unreliability, overcrowding and faulty train air conditioning and when will credible steps to deal with each of those problems be taken by the Brumby government ...

That is a baseless statement. Some 150 000 extra train services have been implemented by this government since 1999.

Mr Koch — They don't run on time.

Mr LEANE — There are thousands of services each week, Mr Koch. Across the public transport system there are thousands of rail services and tram services and hundreds of bus services that run successfully on a daily basis. I think we need to have it explained to us how what is in Mr Koch's motion is correct. His motion refers to chronic unpunctuality, but there are thousands of successful services running on a weekly basis. This government has increased the number of services, and those services are successfully used by members of the public on a daily basis. I

question the validity of Mr Koch's statement in that point.

As members all know, our public transport service is popular and patronage has absolutely boomed. The increase in patronage has been remarkable, and I am sure everyone in this chamber would be pleased with that result. Mr Koch's statement that there is a chronic problem with unreliability and unpunctuality is not true.

One of the pillars of belief of those on Mr Koch's side of the chamber is that market forces drive supply of a product, and if you have a good product or service, then people will use it. With chronically unreliable products and services, people will stay away from them; they will not use them. The fact of the matter is that there has been an amazing increase in the use of public transport, which I am sure all members would agree is a good thing. Obviously increased patronage has brought challenges to the system, and those challenges will be met in part this year when 38 new trains are introduced into the network.

Other improvements will be made to the system. Hopefully by the middle of the year a new and improved timetable will have been introduced, which I am sure commuters will appreciate. This is part of the investment that this government has made. I am sure more and more people will enjoy the amenity of the public transport system for obvious reasons.

I turn to paragraph (c) of Mr Koch's motion, which is

what steps the Brumby government will take to bring up to modern standard the maintenance of rail tracks, the sagging and unreliable overhead catenary wires, signalling, points and when these will be completed to an acceptable standard.

How can Mr Koch say that there is not already in place a 'modern standard' for the maintenance of the system in this state? When he was speaking Mr Koch referred to 'sagging and unreliable overhead cattery wires'. I acknowledge that I am not usually one who speaks about pronunciation, but I point out to Mr Koch that they are overhead 'catenary' wires and not 'cattery' wires. Catteries are places where people board their pet cats; catenary wires are high-tension steel cables that hold electrical conductors. As for 'sagging and unreliable overhead catenary wires', I do not know if Mr Koch is saying that those particular cables are unreliable or sagging. The engineering for that type of catenary wire would be far from rocket science, and I am sure that Mr Koch would not be pointing the finger at good people, including many engineers, who have been in the rail industry for a long time and be able to state that the catenary wires used in this state are of as high a standard as are used anywhere else. Maybe when

Mr Koch sums up the debate on this motion he can further expand on and explain how he sees that.

Mr Koch's motion refers also to signalling and points. Mr Koch and I are both members of the Road Safety Committee, whose members did a tour of regional railway lines to look at level crossings. During our trip we stopped and looked at a few of the signals and points. Our rail system is well over 100 years old. Some of the original points would have been operated with hand levers, particularly when steel points used to change the direction of trains. Some of those mechanisms would have been basic. Nevertheless, it has to be said that this government has been the best of the lot in updating the signalling and point system. Much of the system has been upgraded to a solid-state standard. With any system that is 100 years there will be pressures to upgrade to equipment that is available at any given time. The system went through a stage where relays and older types of signalling and electrical equipment were the only thing available for the signal boxes in the system. There has been a program to update and renew that older relay-based technology into the most modern, solid-state and more reliable equipment right through the network.

So as far as the maintenance side of things not having met an acceptable standard, I am not too sure where Mr Koch is coming from with that view. We have thousands of services per week that are successfully run. The patronage of the system has increased remarkably. I know it is the opposition's job to try to convince the electorate that the public transport system is basically inoperable, but I think it is going to be hard for it to convince people who use the system and who successfully arrive where they wish to arrive on a daily basis.

The opposition believes it can come into government and run a system that will never have faults, that will never have signal failures, that will never have a late train or, just to touch briefly on Mr Barber's contribution, that will not take 8 minutes to remove a condom from a train. I know it is probably not within the standing orders to speak on things that have been discussed in a select committee when speaking on a general business motion, but Mr Barber did that, and I think his analogy was strange. If that is the best Mr Barber can do to reinforce his comment that the system is fairly stuffed — to say that it takes 8 minutes to remove a condom from a train — I tell you what: if I was the person working for the train system who was asked to remove a condom from the carriage, Acting President, I reckon it would take me 8 minutes at least to get the proper equipment and go about it —

Mrs Coote — What would the proper equipment be? Just detail it!

Mr LEANE — I would not hurriedly manhandle the said object.

Ms Hartland — Mr Barber did a lot more than just talk about condoms.

Mr LEANE — This was the instance he brought up from the select committee, but — —

Ms Hartland — It's interesting that you focused on the one issue rather than all the others.

Mr LEANE — I apologise to the next speaker; I know it is close to question time, so I think I will end my contribution there. I look forward to hearing the rest of the contributions to see how the opposition is able to prove what Mr Koch is alleging in this motion.

Mr DALLA-RIVA (Eastern Metropolitan) — I would like to say, 'My God, what a contribution!'. It was astounding that the no. 1 ticket-holder for the Labor Party in Eastern Metropolitan Region could make such a contribution, but it was typical of Labor. There was no substance to the member's contribution to the debate. It really ran around historical issues that have no bearing on the motion. The motion is a very sensible one in that Mr Koch has provided the house with a request for the government to detail a range of things it should have been dealing with.

I think we need to remind ourselves what the motion is about. This is about detailing an ongoing long-term failure to manage the transport system in Victoria. We have a new public transport minister and we are asking him to tell the house and the people of Victoria — and specifically the commuters who struggle every day on our public transport system — how he plans to deal with those problems. What are his solutions? He could come in here and maybe as part of his contribution he could answer Mr Koch's sound motion. What are, as a matter of urgency, his plans to deal with the many problems with the transport system?

The first thing of course is myki. I have some level of knowledge of it, as would Mr Pakula, the now public transport minister, because we were heavily involved in the Public Accounts and Estimates Committee during the review of the findings and recommendations of the Auditor-General's report into this issue and in particular the ongoing concerns that were raised not only by the Auditor-General but also by certain sections of the media about the processes of the new ticketing system tender. This came out of the Auditor-General's report

headed *New Ticketing System Tender* which was tabled in Parliament on 31 October 2007.

There were some concerns and much media speculation about the processes and probity and the whole lot of it. Who was the transport minister at that stage? Mr Batchelor, the now Minister for Energy and Resources. He then dumped the responsibility on Ms Kosky — the responsibility to try to manage a system that had essentially been created out of a whim of the department. I think it would be fair to say that after having had public hearings and reviewing the issue my assessment would have been that the system it had been intended to create in Victoria — this myki system, or the mickey system — was really about the ego of the government. It was really about the egos within the department. It was really using the commuters and Victorian taxpayers as guinea pigs for this proposed new ticketing system. We should put on the record that whenever you get a Labor government and a ticketing system together it just does not work. We had the scratchies — they were pretty successful, as Mr Guy outlined earlier!

What is the new minister's response to this? Is myki going to continue? He says it is going to be rolled out — or I think he says that; there is no fixed date, which we have asked for in the motion. But Labor and the ticketing systems just do not work. It seems that Labor just does not get it, probably because Labor members do not travel on the public transport system. I am grateful that the new transport minister at least says he is a casual user, although that means that he has a lot of ground to catch up.

It should also mean that he needs to get advice from the department, and he probably needs to be a bit sceptical about that advice because it is the very department that has created the current stuff-up in Victoria; it is the very department that wanted to create the new myki system. Why on earth did the department not buy the system off the shelf? I think the reason was that the department thought it could create its own systems. It thought there would be the other systems around the world, and then there would be Melbourne's myki system — —

Mrs Kronberg — Octopus!

Mr DALLA-RIVA — Octopus, that is right. We probably should call our system a sea slug because it is as slow as a slug and it is about as effective as one. I think that is what happened. The bottom line was they had the open cheque book. Labor was back in power. After all, it is only taxpayers money. Members of the government just abused it and decided they were going to create a new system. We are down \$1.3 billion; the

clock and the money are still ticking over. We are no closer to having the system in place.

Mr Finn — It will get to \$2 billion before long, maybe \$3 billion.

Mr DALLA-RIVA — I reckon we will get to \$2 billion — it might end up going that far. Paragraph (a) of the motion poses the question:

... what steps will be taken, and their expected implementation time line, to fix the flawed myki ticketing system and ensure its smooth operation ...

I think the minister said in question time that it would be nine years for the one operating system, so we are going to have to suck and see this whole process for nine long years. The government has been in power for 10 years, which is unbelievable and it demonstrates how useless — —

Business interrupted pursuant to sessional orders.

QUESTIONS WITHOUT NOTICE

Western Health: investments

Mr FINN (Western Metropolitan) — My question is to the Treasurer. I refer the Treasurer to questions put to him about Lehman Brothers and subprime investments by the board of Western Health in 2007 and 2008. Can the Treasurer confirm that he received advice from Western Health board member, Ms Jill Hennessy, about these investments, and will the Treasurer now reveal the true value of those investments, what impact the losses had on hospital finances and whether Treasury had to fill the gap?

Mr LENDERS (Treasurer) — I thank Mr Finn for his question. I am very disappointed at the opposition's vote of no confidence in the spokesperson in this way; Mr Rich-Phillips at least does not get into grubby, gutter tactics during a by-election and besmirch individuals while dishing out big doses of sanctimonious tripe as the opposition tends to like to do in this sort of environment. In response to Mr Finn's question dealing with a very complicated interface of governance, the global financial crisis and this state responding to it, I have not communicated at all with the said member of the Western Health board.

Supplementary question

Mr FINN (Western Metropolitan) — Will the Treasurer release the advice he has received from his department about the state of finances of Western Health after its subprime fiasco and about potential

breaches of the Financial Management Act by the board of Western Health?

Mr LENDERS (Treasurer) — Mr Finn, for the first time to my knowledge in his time in this Parliament, is showing at least the slightest interest in Western Health. I have stood in question time in this Parliament probably 170 times since the last election. We have probably had 170 adjournment debates since the last election and we have had an equal number of opportunities for members statements. Unless I missed it, Mr Finn has been remarkably mute — —

Mrs Peulich — On a point of order, President, the standing order says that a minister should not use a question without notice as an opportunity to attack the opposition.

The PRESIDENT — Order! Mrs Peulich is correct in her view of the standing order, but it is actually about overtly attacking the opposition or a member in their question. I do not consider the response to date to be overtly critical.

Mrs Peulich — On the point of order, President, you cannot be half correct.

The PRESIDENT — Order! In fact Mrs Peulich can be half correct on this issue.

Mr LENDERS — In concluding my answer, we have an interesting form of behaviour when by-elections or federal elections come into the sphere. I am pleased Mr Finn has asked the question, because at least he can pronounce the names of the suburbs correctly. During the Kororoit by-election Mr Davis called it 'Koroit'; during an earlier by-election Mr Philip Davis called Reservoir 'Reservoir'. At least Mr Finn can pronounce the suburb's name, which is a significant difference from those in the opposition who show interest in the northern and western suburbs when there are by-elections but at no other time.

Schools: building program

Ms TIERNEY (Western Victoria) — My question is to the Treasurer. Can the Treasurer update the house on the progress of the Victorian schools plan, and in particular on how the Partnerships Victoria in Schools Project is helping the Brumby Labor government deliver a first-class education system?

Mr LENDERS (Treasurer) — I thank Ms Tierney for her question and her ongoing interest in government service delivery. Ms Tierney is unstinting and unwavering, she makes a good effort 365 days of the year, her heart is in it and she works very hard. I am

happy to take her question on support for schools and the government's program and on how we are dealing with this.

The government, in the lead-up to the 2006 election, committed to \$1.9 billion for the first four years of a rebuilding fund for every school in the state. Of course 300 schools were sold off by the previous government, which neglected education, and some would say sold them off with some glee and profit. However, this government is investing in education. This government has committed to rebuild or modernise 500 government schools during this four-year term. There were some very loud voices in the northern suburbs that were mute when Jeff Kennett was closing schools, and they have suddenly found their tonsils again now. Ms Tierney asked about the government's school building program. This state government is investing \$1.9 billion to rebuild or modernise 500 schools during this term, and it is absolutely on track.

Above and beyond that, the national Labor government has further invested billions of dollars in primary school upgrades. That means that every single primary school in this state — government or non-government — has the opportunity to invest in capital works, thanks to the efforts, focus and priorities of state and federal Labor.

Ms Tierney asked in particular about new and innovative ways of helping in this area and what the progress is. Above and beyond the capital works project, this Labor government is involved in an innovative public-private partnership (PPP) project with the private sector to further work on schools in the area. It is not a coincidence that three of those schools happen to be in the Altona electorate, planned before a by-election, because this government has an ongoing commitment to investing in schools wherever they are in the state, whether it be the Kororoit Creek primary school — for Mr David Davis's benefit, the place in the western suburbs rather than the west of Victoria — which will open in 2011. Because of the PPP, that school will have a not-for-profit long day care centre attached; it will have a community centre; and it will have an aquatic centre because of the innovative procurement design to deliver services to the western suburbs that this government put in place and will be opening next year.

There is also the Point Cook Prep-Year 9 College, opened by the Premier on Monday, which also has a not-for-profit long day care centre because of the PPP with the YMCA, and that delivers those important services for families in the western suburbs that have never been delivered by government before. That long day care facility is now being delivered in partnership

with the private sector. Working families have been calling for solutions for that for decades, and this Labor government is delivering.

In addition to that, there is the Truganina South Primary School, also in the Altona electorate. I challenge either of the Mr Davises to pronounce Truganina South, because it is in the western suburbs. What I would say to them is that there is again a long day care centre and also a community centre. What we have here now is a series of schools, as Ms Tierney has asked for, being built — —

Honourable members interjecting.

The PRESIDENT — Order! I thought the house might have started to settle and run out of steam, so I let it go for a few minutes, but clearly that is not the case. Back to order.

Mr LENDERS — In conclusion, President, what this government has done is invest \$1.9 billion of state resources into school revitalisations, so this government is building schools, unlike those before who closed schools and sold off 300 of them. They sold off 300 schools.

Mr Finn interjected.

Mr LENDERS — They sold off the Altona Hospital as well, Mr Finn. The government Mr Finn was part of sold off the Altona Hospital as well as schools in the area.

What we have here is a consistent building project to rebuild and modernise every government school in Victoria, accelerated and assisted by the federal Labor government boosting funding for primary schools to assist with getting Australia and Victoria through the global financial crisis.

We build schools; we build hospitals; we deliver services for the whole of the state, including the western suburbs. These are the important things that make Victoria a better place to live, work and raise a family.

Western Health: investments

Mr D. DAVIS (Southern Metropolitan) — My question is also for the Treasurer. I refer the Treasurer to the fact that for the last two years the government has been covering up and refusing to answer questions about \$11 million in subprime investment deals by members of the Western Health board, including its chairman, former Keating minister, Ralph Willis, and former ALP president, Jill Hennessy. My question to

the Treasurer is: why did the Treasurer not recommend that the board of Western Health, and in particular its corporate governance and risk management boss, Jill Hennessy, be sacked, in the same way the board of the First Mildura Irrigation Trust was sacked, even though the irrigation trust had less exposure and investments in subprime than Western Health, or are Labor mates and candidates exempt from government accountability?

Mr LENDERS (Treasurer) — There are a couple of things that I will respond to in Mr David Davis's question. The first thing I refer to is this virtue of industriousness or the non-virtue of laziness. Last year this house sat on 50 days, we had the Public Accounts and Estimates Committee and we had a series of issues, and not once during that period of time did Mr David Davis or Mr Gordon Rich-Phillips — when this issue was current, when it became immediate — show the slightest inkling of concern or care about Western Health. Suddenly, two weeks after a by-election is called, when they finally open a book, when they finally look somewhere, they suddenly decide to express mock outrage.

We had in this house debates about the First Mildura Irrigation Trust, which I thought were bipartisan and which showed why that trust was different from many other bodies around the planet. The contributions to public debate at this time last year were not questions on First Mildura or others, they were Kim Wells leading a trashing of the Members Equity Bank because it had collateralised debt obligations. That caused a run on one of Victoria's four largest banks, because Kim Wells, the opposition shadow Treasury spokesperson, erroneously attacked the bank and forced the bank to take out full-page advertisements to protect its reputation. While the world — —

Mr D. Davis — On a point of order, President, we are happy to have the Treasurer make broad comments, but he clearly is diverting into a grubby little sideshow, and he ought to answer the question he seeks to avoid and cover up.

The PRESIDENT — Order! In response to the point of order, the question asked by the Leader of the Opposition related to the financial practices, accountability et cetera of Western Health. I think the minister's response to date is broadly outlining fiscal responsibility and history in these areas. I am convinced that his answer to date is in some way responsive and relevant to the question asked, and as the house well knows, I have no power to dictate to any minister how they will answer so long as they are relatively relevant to the question.

Mr LENDERS — What we have seen in our health system, under the very strong stewardship of the health minister, is most health authorities ending the year with budget surpluses.

Mr D. Davis — That is not what the Auditor-General said in his report.

Mr LENDERS — I suggest to Mr David Davis that perhaps he do a bit of reading himself and not wait for people to hand it to him on a platter. What we have seen is that the health system has been well funded. We do not go about closing hospitals as Altona Hospital was closed by the government that Mr David Davis was a member of. We are investing in hospitals.

I guess on these important debates a bit of work and attention to detail is useful. I know Mr Russell Hannan and Mr Robert Doyle's views of the detail that Mr David Davis puts into this, so I take with a grain of salt some of the questions he raises. But what I say to him on this is that it is an amazing road to Damascus moment. The opposition has been silent on the government's issues and Western Health. It has been silent on these issues until the whiff of a by-election comes and then we go back to the normal character assassination of a member of the board of a health organisation because it suits the political needs of a lazy opposition.

I have answered on subprimes and I have answered on collateral debt obligations. We have had a discussion in this house on that. The sole contribution to date from Mr Davis and his shadow Treasurer on this issue has been to cause a run on a bank during the global financial crisis. If that is what the opposition has to offer, then woe betide the citizens of Victoria if they think that is leadership.

Supplementary question

Mr D. DAVIS (Southern Metropolitan) — That was a very inadequate answer. Therefore I ask this supplementary question: will the Treasurer now reveal what steps and new procedures had been put in place since the board of Western Health, on Jill Hennessy's advice, invested millions of taxpayer funds in useless junk bonds, and exactly how many taxpayer dollars have been lost by Jill Hennessy's inept and risky investments?

Mr LENDERS (Treasurer) — President — —

Hon. M. P. Pakula — You are the sultan of smear.

Mr LENDERS — Mr Pakula says 'the sultan of smear', but I say 'some subterranean creature without

legs and eyes crawling under the soil' is probably a better description.

I say to Mr David Davis, regarding his outrageous accusations against a board member, that he knows nothing about the governance of organisations if he thinks these investment decisions are made in such a way. He knows nothing. All he knows about is besmirching a name. But for the record — and to provide some facts which might help Mr Davis — Western Health was not in breach of the Borrowing and Investment Powers Act — that is, not in breach full stop. Nor did it request the government to provide extra funds to cover investment losses.

The purpose of Mr Davis coming in here was to besmirch a citizen. He wonders why citizens are reluctant to serve. We have talked about the respect agenda. We want citizens to be volunteers and to contribute to their community, and for the opposition to come into coward's castle and besmirch a citizen and destroy their reputation gutlessly under parliamentary privilege just shows how low it has sunk. If it wants citizens to be involved, it needs to start showing some respect; then it might get a good community response.

Climate change: government initiatives

Mr SCHEFFER (Eastern Victoria) — My question is to the Minister for Environment and Climate Change, Gavin Jennings. Can the minister inform the house of how the Brumby Labor government's incentivising of investment in renewable energy is making a contribution to greenhouse gas abatement and meeting our obligations to the climate change agenda?

Mr JENNINGS (Minister for Environment and Climate Change) — I thank Mr Scheffer for his question and the opportunity to restate, renew and maintain the Brumby government's commitment to making sure that we play our role in meeting the climate change challenge that the global community is confronting, that we seize economic opportunities in our state to try to drive investment and new industries, particularly those that are renewable and sustainable industries generally, and that we maintain our commitment to the policy settings and programs that have seen a great take-up of renewable energy in Victoria. But we have only scratched the surface in terms of how we want our economy to be transformed to seek greater opportunities in the renewable energy sector.

Some years ago the Victorian government was the first in the nation to establish renewable energy targets — a measure that unfortunately those on the other side of

this chamber failed to embrace and continue to fail to embrace to this present day as a policy setting and objective in the economic transformation of this nation. The opposition is completely dormant, if not negligent, on this subject.

The Victorian government continues to be committed to these outcomes. We have seen capacities for hundreds of megawatts which are currently installed; we have thousands of megawatts in the planning stage which are being developed in Victoria. As a government we have not only established that target but we have stumped up significant investment support of more than \$72 million through the energy technology innovation strategy, which has been designed to support renewable investment. The Victorian government has put \$100 million on the table to support a solar-thermal capability being developed in Victoria, which requires a significant contribution from the commonwealth to try to assist that in happening.

The Victorian renewable energy target scheme has been folded into the mandatory renewable energy targets of the commonwealth government. The Victorian government has been concerned about the effectiveness of that scheme and the effectiveness of the design of that scheme. My colleague the Minister for Energy and Resources has made representations to the commonwealth government to try to make sure that the price of renewable energy certificates is maintained to try to provide sufficient incentive and momentum for investment in renewable energy.

Our government stays vigilant in relation to these policy settings and supports our community in making that adjustment. What this country needs is policy settings at the federal level that build on this momentum and augment our momentum so we can have the most effect. That is what we need. As we have said, as the Victorian government we support the emission trading scheme — the carbon pollution reduction scheme as introduced by the Rudd government — to achieve these outcomes. We maintain that commitment. If the Greens can do some constructive work to assist the passage of that legislation through the federal Parliament, that would be a good thing.

What do we see on the other side of the equation? In the last 24 hours we have seen intervention by Tony Abbott, the federal Leader of the Opposition, who is a sceptic if ever there has been one. He challenges Mr Finn for ultimate climate change scepticism within the Liberal Party of Australia. There is a powerful, competitive dynamic between Mr Finn and Mr Abbott. Mr Abbott is trying to prosecute a voluntary no-change

agenda in the climate change space, and he is dressing it up as a climate change policy. For many years in federal government the Liberal Party lived off the back of digging up Australia's backyard in terms of resource development — it was the only economic development that occurred under its watch. Now its only commitment to climate change is burying soil in its backyard; it is burying soil back in the backyard in the name of making a contribution to climate change and greenhouse gas abatement. That is the only initiative Mr Abbott has been associated with.

There is no structure or scheme to reduce greenhouse gas emissions, there are no penalties that will apply to those who increase their greenhouse gas emissions and there are puny incentives. There is a policy to establish a small-scale fund to support voluntary action in the space. It is an insult to the intelligence of anybody who understands the dimensions of the climate change challenge the global community is confronting. It is a policy vacuum that the coalition is hoping to introduce in the lead-up to the next election; in fact there will be a monumentally spectacular failure as a sleight of hand.

It will not assist the transformation of the Australian economy or make a contribution to environmental outcomes. The person who is probably grieving the most about those policy settings is Mr Greg Hunt, the federal member for Flinders, who possibly has — as does Mr David Davis — a bit of an understanding about the science and an understanding of what is required. He will probably disappear from the public debate in the future because he will not be able to stand up for the policies. Clearly no-one on the other side is sufficiently motivated to stand up and stop me from making this contribution, because they know that what I am saying is right.

Planning: legislative review

Mr GUY (Northern Metropolitan) — My question is to the Minister for Planning — and respect. Noting that under the government's review of the Planning and Environment Act the minister may soon allow individuals or companies to propose a planning scheme amendment after ministerial approval, I ask: can the minister advise the house what increased probity measures will accompany this process to ensure that it is not abused?

The PRESIDENT — Order! On a point of clarification before the minister answers the question, which portfolio did Mr Guy address his question to?

Mr GUY — Planning.

Mr Dalla-Riva — He respectfully asked the Minister for Planning.

The PRESIDENT — Order! Very good, Mr Dalla-Riva! The question is for the Minister for Planning?

Mr GUY — Yes.

Hon. J. M. MADDEN (Minister for Planning) — I welcome Mr Guy's question. I think it is relevant, but I am a little concerned that he might be a bit misinformed about what we are exploring around the reforms to the Planning and Environment Act, particularly in relation to third parties potentially being able to advertise planning scheme amendments.

One issue with a planning scheme amendment is that predominantly councils have to give the go-ahead just for it to be advertised. In many instances there are developers, proponents or people who want to make sure that they at least have their concept tested out there so the community understands and knows about it. Currently the alternative is for those proponents to come to the minister and seek in a sense that the minister overrule the local council and to advertise it. That would still rely on me making that decision.

In this instance that potentially advertised planning scheme amendment could not proceed unless the council were supportive of it. Really this is potentially of great advantage — —

Honourable members interjecting.

Hon. J. M. MADDEN — I can hear that opposition members are very sceptical about this, but again it shows their lack of understanding, particularly about rural councils. There is a great opportunity here for rural councils in particular to direct their resources into the things that matter to them and to the families and individuals in those communities. It will allow councils to deal with these issues, particularly rural councils that may not have the resources, the skills and the time, or who want to make it a priority, to advertise these planning scheme amendments, and it allows for other directed organisations to potentially be able to advertise them.

I say to Mr Guy that they will not be making any decisions, so his point is — —

Honourable members interjecting.

Hon. J. M. MADDEN — As I have said before, the councils can still make decisions around these, and we would be seeking that they make decisions around

them. However, it may not be the key priority for councils because of their own resourcing requirements. This is very much about allowing councils to direct resources to where the resources are needed and for any other potential applicants or proponents who want to resource the advertising of these amendments to put the money into those advertising requirements.

We believe this may have a potential advantage, particularly for small, rural councils, which we know the opposition had a track record of ignoring when it was in government.

Honourable members interjecting.

Hon. J. M. MADDEN — It sacked them. We are not only interested in what happens in Melbourne and Melbourne's growth, we are interested in what is happening in rural and regional Victoria and those small communities. Smaller councils that are seeing rapid growth do not necessarily have the direct resources to apply to their planning schemes, and this will allow for those councils to prioritise it in a way that does justice to the resourcing of their own planning systems.

Supplementary question

Mr GUY (Northern Metropolitan) — By way of a supplementary question, I note that the biggest hold-up of planning scheme amendments in Victoria appears to be the Minister for Planning and his office, who regularly sit on amendment requests for over 12 months and further delay the process by sitting on amendment approvals beyond that. I ask whether the minister could advise the house what output measurements on his own performance will accompany any changes to the planning scheme amendment process, or is it just another case of the Labor government blaming everyone but itself?

Hon. J. M. MADDEN (Minister for Planning) — I know that there will always be some planning scheme amendments which people seek to advertise or are advertised or come to us that are ambitious. They are either ambitious from a proponent's point of view or ambitious from a local government's point of view. In some of these instances I would like to compliment some of the councils for being ambitious in this space.

We did have one — I think in the city of Bayside — which took a long time to resolve and which was about stormwater collection and the use of that stormwater. Whilst that planning scheme amendment was ambitious — and I was also conscious that the principle of it was very noble — the issue was the practicality of a stormwater system and whether having the controls in

the planning stream, as opposed to in the building stream where they normally operate, would make more complex the processing of permit applications in both streams, whether that be the planning system or the building system.

We are conscious that from time to time when planning scheme amendments come to us there are complex arrangements that need to be resolved. That is often because they are innovative — and I am quite complimentary about that. But you cannot get answers in relation to these matters overnight. It is not about saying yes or no; it is about working with councils to get them to work through how they can adjust the amendments to complement the planning system and not encumber the system with more red tape. It is important that from time to time we process these over more time than we would probably like, but we want to get them right and get them right the first time rather than having more complications coming out of the system.

We will be very mindful, as we have always been, about process. We hear different views from the opposition. One is that we take too long — and we hear that from the opposition all the time — but when we fast-track these systems, opposition members say, 'Not long enough! There has not been enough consultation and collaboration'. Time and again we hear it from the opposition. Members opposite straddle both sides of the fence — and I say that with due respect of course. They want to play to one audience and also play to another. They want to play to the development community showing that they are supporting development on the one hand, but then on the other they want to play to local communities saying, 'No, we are not that keen on development in that community because we want to protect your green leafy suburb'.

We know that there are two things wrong with the opposition — just two, although there is quite a litany — —

Mr P. Davis — On a point of order, President, you are showing great forbearance given that the minister has strayed from the point of responding to a question, and the point of responding to a question is to not debate the question and certainly not to make a commentary about the opposition parties. I ask you to draw the minister's attention to the fact that question time is an opportunity for ministers to respond to questions from members of this place.

Mr Viney — On the point of order, President, I take note of Mr Philip Davis's suggestion about debating matters in question time, but during the minister's

contribution on at least two occasions members of the opposition have interjected about brown paper bags. I think when that sort of enticement to debate occurs it is a bit hard to expect the minister not to engage in the debate.

Mr P. Davis — On the point of order, President, a point of order is not a time for debate, but Mr Viney has raised the matter of interjections. If a minister attacks members of the opposition, they undoubtedly will respond. I ask you to direct the minister to respond to the question and not debate or attack the opposition.

The PRESIDENT — Order! In relation to the original point of order, the fact is — and all ministers know this — that responses to questions should be relevant and should not contain argument or overt criticism of either the member who has asked the question or members of the opposition parties. The house is also aware of the fact that interjections are unruly, and constant interjections are certainly unruly and on occasions unhelpful. However, I have always expressed the view that I like to see a bit of robustness in the chamber, as long as it is reasonably restrained and respectful — certainly not disrespectful. Mr Viney is right in saying that on occasions when interjections are made they can be provocative, and in my view it is reasonable for the minister to respond to those interjections if he or she considers it appropriate.

My ruling is that I believe the minister is starting to wander from the subject matter and to debate the question asked. I remind him that it is not appropriate to do either, and I ask him to make his answer relevant to the question and not to debate the question.

Hon. J. M. MADDEN — Thank you, President. I welcome that guidance, particularly in relation to the provocations of the opposition.

We in government are very mindful of proper process. We are always very mindful of consultation and collaboration. We are always very mindful of making sure that we achieve what the planning system seeks to achieve: that good process delivers good results. We will ensure that we do the right thing within the planning system to protect Victorian families by providing economic activity but allowing for broad consultation and the process of consultation with the community so that members of the community can have input where it is warranted, where it is justified and where it is necessary to make sure that we get the best planning system that delivers the best results and ensures that Victoria is the best place to live, work and raise a family.

Planning: Truganina development

Mr EIDEH (Western Metropolitan) — My question is to the Minister for Planning, the Honourable Justin Madden. Can the minister outline to the house how the Brumby Labor government is taking action in Melbourne's west to build for the future and create jobs through the establishment of the Truganina industrial employment precinct?

Hon. J. M. MADDEN (Minister for Planning) — I welcome Mr Eideh's interest in these matters, particularly in his own electorate. I know he is very conscious of the work that is taking place, particularly out in the Truganina region around logistics. That is one of the great things I have been able to announce quite recently around job creation: that from time to time the planning system is allowed to and can facilitate job creation out of the projects that are permitted and under way.

We know that Wyndham is one of the fastest growing municipalities in Australia, and it is expected to have 280 000 residents by 2026. In developing these new growth areas we are conscious that we have to provide more jobs closer to home so that people do not spend long periods of time travelling and commuting to their places of work. That is why I was delighted to advise the Truganina community of an industrial employment precinct that will be developed following the approval of the Wyndham planning scheme's amendment C124. This is all about creating jobs in the west, close to transport and a new range of housing. What we will see across this precinct is 662 hectares of quality industrial land on which will be created up to 15 000 jobs. That will employ, on average, about 1 in every 10 of the nearby residents. That goes a long way towards addressing some employment issues.

It is a great sign that jobs are already arriving. A development company called Goodman will be developing the specific site I have approved for the retail giant Kmart to be used for its central distribution hub for its Australia and New Zealand supply chain. This says a lot of things about the west, too, which I want to point out. Apparently the current central distribution hub for Kmart is on the other side of the city, in the south-east. What that says is that the people at Kmart are confident enough about the western region of Melbourne, confident enough about the logistics hubs that will be developed in these locations, to relocate their central distribution hub from the south-east to the west.

When I asked people at Goodman, the developer, what will happen to that site in the south-east, they said, 'We

won't have any trouble leasing that. That will be backfilled by other expanding organisations that have distribution chains as well'. What that says to all of us is that not only is it a vote of confidence in the west but also it is an even bigger vote of confidence in the Victorian economy. Already we are seeing a strong demand for industrial land and development in this logistics area or hub. This complements and is being driven by an announcement about the \$38 million investment in our new transport links, particularly with the regional rail link, being the biggest rail link infrastructure upgrade in Melbourne for a century. It has been complemented on all those fronts.

The structure plan I announced sets out the master plan for the future of the area, including the industrial and commercial developments, transport access, open space and services, while maintaining the area's valuable natural and historic features.

I would like to congratulate all those involved: the City of Wyndham, the people from the industry and all those who have worked collaboratively with the Growth Areas Authority to see this approved. It is a prime example of how the Victorian economy is going ahead in leaps and bounds, and it shows how hard we are working with other partners and other stakeholders to protect Victorian jobs and ensure that Victoria is the very best place to live, work and raise a family.

Violence: Indian students

Ms LOVELL (Northern Victoria) — With respect I direct my question without notice to the Minister for the Respect Agenda. I refer the minister to the unprovoked fatal stabbing of Indian student Nitin Garg in West Footscray on 2 January 2010, and I ask: how will the government's respect agenda prevent further violent attacks of this nature that result in the unnecessary and pointless loss of life?

Hon. J. M. MADDEN (Minister for the Respect Agenda) — I welcome Ms Lovell's interest in these matters. It is good to see that the opposition has worked out who might ask me questions in relation to this area even though it has not designated a shadow spokesperson.

I am not going to speak specifically about the case Ms Lovell asked about, because I am sure those issues are being investigated by the police and I do not want to go down that track. But what I can say is that we are all very conscious of the public commentary around racism, or what might potentially be perceived as racism, and around violent behaviour. We are very conscious that there is great anxiety, particularly on the

part of the Indian community and members of the Indian student community who are involved in studying, working and living in Melbourne, over the way they go about their lives. We are very conscious of what the police have already said, which is that some of the attacks may be racist and some of them may not be. We cannot discount either way what the circumstances might be. Only a full investigation of those circumstances can or will reveal that.

Given what the police have said, we are also conscious that many students, and of course many Indian students, work in part-time jobs in industries where in a sense they are at the forefront of risk. Many students work in those sorts of positions, whether it is in convenience stores or in the taxi industry. They have night-time jobs because they have to offset the expenses that go with their studies. In travelling to and from those jobs they might be at risk for one reason or another. We are very conscious of those issues and of the need to invest in the right ways to deal with them. In talking about what we have done as a government, I speak on behalf of my cabinet colleagues. These are not within my portfolio, but I will mention some of the initiatives, particularly the increased funding for police and the increased number of police to help in addressing many of these issues — 1400 police have been added to police numbers since 1999. As well as that, Community Safety Month, held in October, was a mechanism to target commuter crime and alcohol-related offences on Melbourne's transport system.

In many ways we are addressing the problem at the coalface. We have to develop not only a reactive approach but also a proactive approach to the culture around many of these things. In Victoria we all pride ourselves on being part of an inclusive community, but some in our community may not be open to the idea of inclusion, so the respect agenda is about promoting many things. One is trying to reduce the potential for racism by increasing regard and inclusion within the community for all cultures and for people of all persuasions. We intend to create a bit of a cultural change — we hope — through a range of initiatives in relation to many of these potentially criminal acts, but as well as that people have to have regard and concern and almost take care of the people around them.

I know Ms Lovell's issues go to the very core of the many concerns people in the community have around safety, criminal activity and racism. Those issues will all be addressed through the law, but in terms of being proactive the respect agenda is about trying to encourage people to address the culture which may develop or become worse than we might think before it presents itself. We are very confident that over time we

will see a cultural shift. It will not happen overnight, but it will happen. As the Premier said yesterday, it is like seatbelt usage or smoking. You can legislate these things, but in order to be proactive you also have to see a cultural change.

We look forward to addressing many of these issues by seeing the cultural change we announced through some of the No Regrets program at Footscray City College yesterday. That is just one way of addressing some of the concerns within the community and introducing mechanisms to address them within the community over the long term.

Supplementary question

Ms LOVELL (Northern Victoria) — I thank the minister. What concrete steps has the minister taken since his appointment to resurrect Victoria's reputation with the Indian community both here and overseas, and who in the Indian community has he met with since his appointment?

Hon. J. M. MADDEN (Minister for the Respect Agenda) — Of course I only received this portfolio in recent weeks and I have been on leave for a significant part of that time. We have organised meetings with a series of stakeholders from a number of organisations that reflect what we are trying to achieve. We will have meetings with the sorts of groups that Ms Lovell acknowledged, whether it is the likes of the Indian students association, segments of the police force, the taxi directorate, student associations or colleges. On many fronts and in many ways we will meet with a broad range of the community.

In our announcements of many programs yesterday we said we will seek to have an array of round tables with a number of stakeholders on many of these issues. We look forward to working with the community. We do not assume we have all the answers. We are not going to tell people how to live their lives, but we believe that in partnering with community groups and associations and organisations that reflect and represent people who have an interest in this area we can make sure that together as a community we work to address these issues and the culture of these issues so that those cultures do not flourish.

Planning: Springvale development

Mr SOMYUREK (South Eastern Metropolitan) — My question is to the respectable Minister for Planning, Justin Madden. Can the minister advise the house about his recent actions to clear the path for development of a

\$286 million homemaker centre on the Princes Highway in Springvale?

Hon. J. M. MADDEN (Minister for Planning) — Not long after Christmas I had an opportunity to announce the \$286 million homemaker centre development on the Princes Highway in Springvale. This will be quite a spectacular project on many fronts. It will be a massive homemaker centre which will feature an extraordinarily large Ikea store for starters, and I know everybody gets excited about Ikea these days. There are not many of these stores, so when one is built it is a very big investment by the Ikea organisation.

I understand there will be a very large Harvey Norman development alongside it. In a homemaker centre you can buy furniture and electrical equipment in one place. As well as that, what we see here is a fast-tracking of some flexible arrangements around the tenancies. Because of the controls around bulky goods and homemaker-type centres there were some constraints on trying to get quite a number of tenancies into this location to complement the very large existing tenancies in the Harvey Norman and Ikea components of this development. What is needed to make these things operate in the very best way they can is a range of complementary retail outlets. With the support of the local council we will give them a little bit of flexibility around those controls in order to get what will be a magnificent development in the Springvale community.

What is particularly important is that it is, in a sense, a \$286 million vote of approval for the Victorian economy. The organisations involved here would not have invested as they have, and particularly not in Springvale, unless they felt very confident about the long-term future of the Victorian economy. Members can appreciate that the disposable income of families in Victoria is often spent on the likes of electronics equipment and home furnishings. That is where the disposable income is often spent — not all of it, but a fair slab of it. For these sorts of organisations to say, 'We are going to invest \$286 million in this sort of centre' is not only a vote of support for the planning system in Victoria, a vote of support for Springvale, for that site and for the Springvale community, but also a vote of support for the Victorian economy, because these organisations feel confident that people will continue to spend in the retail tenancies that are reflected here.

It has also been projected that this development will provide in the order of 939 direct and 710 indirect jobs. We know Melbourne is projected to grow by 1.26 million people over the next 20 years, so it is vital

that we have the jobs to support those who settle here and to support younger people who want to find employment here rather than moving away from Melbourne or from their local areas.

This is a key employment investment in Victoria; it is a key urban development. It is not only a great opportunity to secure jobs for Victorians and to protect Victorian families, it is a ringing endorsement of Victoria as the best place to live, work and raise a family.

Desalination plant: financial interests

Mr BARBER (Northern Metropolitan) — My question is for the Treasurer. Now that we have had the release of the desalination contract and a project summary prepared by the Department of Treasury and Finance, it is clear that the Victorian people have an ongoing financial interest in that plant — not least of which is that we will inherit ownership of the facility 20-something years from now. Can the Treasurer detail for me what those financial interests are and, importantly, tell me which of them will be subject to scrutiny by the Auditor-General?

Mr LENDERS (Treasurer) — I thank Mr Barber for his question and his ongoing interest in the desalination plant. The questions he asked are technical ones that I will certainly take on notice for the Minister for Water, who is the proponent minister with responsibility for the desalination plant, but I will, in general terms, answer Mr Barber on this.

As he said, the project summary has been put on the Web. As he said correctly, the state of Victoria gets reversionary interest in the desalination plant after the period of the operations is over. The driver for government was clearly the urgency of turning sea water into fresh water at a time of climate change and water shortages, and getting an overall grid for the state of Victoria through which we could have reliable sources of water to supplement the various other augmentation projects the state of Victoria is implementing.

In relation to the specifics Mr Barber asks for, there is clearly the desalination project itself and there is clearly the electricity line coming to the desalination project. I will ask my colleague the Minister for Water to promptly reply specifically to the series of fairly technical questions raised by Mr Barber.

Supplementary question

Mr BARBER (Northern Metropolitan) — According to the project summary, which the

Treasurer's department prepared and released, there will be an independent auditor of these interests, appointed by AquaSure and the state in conjunction, whose role is to:

... review the design, construction and environmental management of the project as it progresses...

I congratulate the minister: he has done what the Kennett government could not do — that is, he has privatised the functions of the Auditor-General. What I want to know is: when that auditor produces information that is relevant to the position of that project, how and when will that information be given to the Victorian public and will it be brought into matters such as the state's own accounts, which are properly signed off by the Auditor-General in the normal course of events?

Mr LENDERS (Treasurer) — Firstly, in answering Mr Barber's barb — no pun intended! — about privatising the functions of the Auditor-General, he countered his own argument by ultimately saying the Auditor-General would be overseeing this and reporting on it to the Victorian accounts. The state of Victoria has always had some auditing functions which the Auditor-General has outsourced to other parts of the state.

The state of Victoria has always had some functions, and the delineation that was part of the huge public debate in 1998–99 was about a neutering of the Auditor-General by the then government's legislation. The functions then were quite distinct and meant the Auditor-General was removed from any independence. He is now an independent officer of this Parliament, and his accountability to the state is through the Public Accounts and Estimates Committee of the Parliament, not the executive government. The Auditor-General always unreservedly has the authority and the rights under this Labor government to inspect whatever document he chooses and to report where he chooses to the Parliament, so I completely reject the assertion of Mr Barber on that particular area.

On the fundamental issue he raises — as to how these things are accountable to the community, how we get a sense of what the value for money is and how these things are tested — in the end the Auditor-General has the authority to trawl through whatever he likes. He can go through whatever he likes to find his own information from the government of Victoria. Whether that be a cabinet decision or a decision of any government agency, he has the authority. Obviously there are protocols around commerciality and other things he does.

I can say to Mr Barber, before he makes too many more glib remarks about the Auditor-General's powers being taken away, that there is a fundamental difference between the two sides of the house on this. The Auditor-General is enshrined in the constitution with his independent powers because this side of the house campaigned on, promised, dealt with and delivered that independence for the Auditor-General following what had happened on the other side of the house. The Victorian community endorsed that in the Mitcham by-election and re-endorsed it in the 1999 state election. I might say that the opposition reluctantly came and even supported the amendments to the constitution that enshrined that power of the Auditor-General that this government initiated.

It is a project we needed. It is a project to deliver water to Victorians. We are converting salt water into fresh water, which actually fixes a problem, which is a shortage of water. A grid for transferring water fixes a problem by moving it to parts of the state where it is needed. They are controversial issues. They are issues of big public debate, but this government has led and made hard decisions to deliver that. I say to Mr Barber that this is not privatisation. This project returns to state hands, as per the constitutional amendments put in place by this government. In the meantime there is an operator from whom the state is getting value for money. It is delivering water to Melbourne, South Gippsland, West Gippsland and, through the transmission pipes, to other parts of the state that would not otherwise have got it — and doing it for better value than otherwise. We have acted and we have delivered, and that is what Victorians expect.

Rail: Westall station

Ms HUPPERT (Southern Metropolitan) — My question is for the Minister for Public Transport, Martin Pakula. Can the minister advise the house on the progress of the Westall rail upgrade?

Mrs Peulich interjected.

Hon. M. P. PAKULA (Minister for Public Transport) — I thank Ms Huppert for her question, and Mrs Peulich for her constant interjections. Nothing has changed. Mrs Peulich, I am delighted that one of my first activities as the new Minister for Public Transport was to turn the first sod at the site of the Westall rail upgrade at Westall station. Last week I was joined by the honourable member for Clayton in the other place, Mr Hong Lim, to oversee the beginning of works that will include a major upgrade of Westall station —

Mrs Peulich — On a point of order, President, I am just wondering whether the minister is observing the government's agenda for respect by inviting all members of Parliament who represent the area, or is this just another example of hypocrisy?

The PRESIDENT — Order! Mrs Peulich knows full well about points of order and frivolous points of order. That was very close to the wind. Mrs Peulich is warned.

Hon. M. P. PAKULA — I do not recall the last time Mrs Peulich invited me to one of her events, I have to say.

The works will include a major upgrade of Westall station, with the construction of extra tracks. What all those things will lead to is the provision of more peak-hour services along the Dandenong rail corridor and more trains during the peak hour that will run through Ms Huppert's Southern Metropolitan electorate as well. This is an investment worth \$153 million. It is a crucial part of the Brumby Labor government's Victorian transport plan.

I think it is worth just taking the house through what this upgrade will mean for Westall station. In the first instance the upgrade will improve passenger amenity substantially. It will mean a total rebuild of the buildings at the station including more covered seating spaces. It will include 83 extra car parking spaces so that more commuters in the Dandenong corridor can park and ride from Westall. It will include a security upgrade at the station, including better lighting and better CCTV cameras that can be accessed by Victoria Police in real time. It will mean the removal of three at-grade pedestrian level crossings. Having used those crossings just last week, I can say that it is absolutely time that those at-grade crossings be removed. It will install instead two new overpasses, combining ramps, stairs and elevators, to ensure proper disability access as well.

The upgrade will also mean increased stabling at Westall. As members would know, the more locations you have stabling at, the quicker you can provide maintenance services and the quicker you can get trains back out on the track, so five new stabling yards will be constructed. That will enable trains — and this is really important for travellers along that corridor — to start from Westall. There will be more shuttle services from Westall to the city and back, meaning that passengers some way down the line from Cranbourne or Pakenham will get an empty train starting at Westall, and it will mean that there are more services along the Dandenong corridor. It will mean that those extra

services will have flow-on benefits for passengers at all stations heading into the city. It will ease crowding and it will provide far more reliable services along the line.

This is a corridor that carries more than 50 000 commuters every weekday. That is why this project is an important part of the Victorian transport plan — more stabling, more track and better amenity for passengers. It is just part of a \$38 billion plan, much of which I detailed yesterday, and it is about delivering an integrated transport network for the Victorian community.

Sitting suspended 1.03 p.m. until 2.07 p.m.

RAIL: GOVERNMENT PERFORMANCE

Debate resumed.

Mr DALLA-RIVA (Eastern Metropolitan) — In my contribution I will not speak about the myki ticketing system because there has been enough discussion about that already. However, in his motion Mr Koch mentions some of the challenges that face us after a period of more than 10 years of mismanagement under this government, so I thought it was important to put on the record the Labor Party's 1999 policy, which is headed *Rebuilding the Transport Network — A Better Transport Network for All Victorians*. I will give a report card on Labor's promises and say whether Labor gets a pass or a fail.

The policy claims that Labor will:

Place responsibility for public transport and roads under the control of a single minister.

That has not happened. Fail!

Construct a third rail track between Blackburn and Mitcham.

Fail!

Introduce super-express trains on Melbourne's rail system.

If anything, we have heard the evidence that it has gone backwards. Fail!

Extend and upgrade priority rail and tram lines.

Mr Guy spoke about the South Morang railway extension. People are still waiting for that to happen, and its cost has blown out to half a billion dollars. The government has failed on that.

Improve rolling stock and signalling.

That issue has gone backwards under this government, so it has failed.

Extend and upgrade key tram routes.

In my electorate of Eastern Metropolitan Region there was a policy whereby Labor was going to extend the tram to Knox City shopping centre. This Labor policy document was authorised by Andrew McKenzie in 1999, but the local Labor member has done pretty much nothing, as you would expect, so the government has failed in that regard.

The same policy document states that Labor will:

Build the Dingley bypass.

Fail!

Give a high priority to rural and regional roads.

I think people in rural and regional areas would say that is a clear failure. The next policy is a good one:

Rule out the use of tolls to fund new road projects.

Jeez! The government gets a big F there as well. That works with the government's tactic of slapping the private operators with this review.

Further, Labor's policy states it will:

Review the CityLink contract and introduce heavy fines on toll company abuses.

According to this document, Labor thinks private operators are nasty. It appears to hate public-private partnerships, but everything is a PPP under this government. Government members have realised that PPPs are effective vehicles to deliver projects — that is, when this government eventually gets around to implementing them.

The policy document further states Labor will:

Build a Rapid Transit Link to Melbourne Airport.

I remember that one. Where did that go? That fell off the ledge pretty much straightaway, but Labor sucked in all the voters out there in the north again and they all fell for it. Fail!

And so it goes on. In his contribution Mr Koch spoke about what has happened in the last 10 years, but I would like to point out that when Labor members came to office in 1999 they made a raft of policy announcements on which they have virtually thumbed their noses at electors and given them nothing in return.

I will turn to some of the issues in Mr Koch's motion. Firstly, there are the braking problems on trains. We have all known about this problem since 2003, but we would not want to rush anything, would we? We would

not want to get onto it as a priority, would we? I hope the new Minister for Public Transport, who thankfully is in the chamber listening to my contribution, will have a way of dealing with this problem. We need to know, as do commuters and the Victorian public, how he intends to deal with this ongoing saga.

There is no use blaming whatever occurred 10 years ago or blaming it on whatever contract was established, because Labor has been in government long enough to rectify any problems. To continually blame the former government is pretty much akin to us blaming the delay of the current ticketing system on the demise of the scratchie ticketing system brought in by Labor when it was in government prior to the Kennett government. In the end it is the Brumby government that is managing the myki ticketing system, and it is the Brumby government that needs to deal with the problems.

I turn to the issue of maintenance and rail tracks. In 2007 the Auditor-General tabled a report in this Parliament entitled *Maintaining Victoria's Rail Infrastructure Assets*, but there are ongoing problems about maintenance and system failure.

There are issues around public transport's chronic unreliability and ongoing problems with punctuality. We have heard time and again about overcrowding and the failure of air-conditioning systems, and the list goes on. I am sure the minister, as a former parliamentary secretary for transport, understands the dynamics of rectifying those problems.

In conclusion, during the creation of the myki ticketing system Victoria had a less than perfect transport minister. The next transport minister — and I always remember this from the Public Accounts and Estimates Committee (PAEC) — —

Mr Koch — We had the Treasurer!

Mr DALLA-RIVA — We had the Treasurer briefly, but I refer to Ms Kosky. To her credit, at Public Accounts and Estimates Committee hearings she, like most ministers, would bat away the issues around the public transport system. As it happens, we know that very little has been done. It used to stagger me that when a PAEC hearing changed from the public transport portfolio to the arts portfolio Ms Kosky seemed to be a completely different minister. She was on top of her portfolio and knew her staff 100 per cent. It is disappointing that she was given a portfolio that she really did not like. I base that assumption on my observations during the PAEC's public hearings.

Mr Pakula has been a member of the Public Accounts and Estimates Committee, so I hope that when the

PAEC hearings are held this year he will be able to demonstrate his commitment and tell us what he intends to do. I hope he can demonstrate the same enthusiasm for fixing the public transport system — because it needs to be fixed — that Ms Kosky showed in her commitment to the arts.

Mr DRUM (Northern Victoria) — I too am pleased to be able to rise to contribute to the debate on the motion put forward by Mr Koch. My electorate in the north has not been immune to the failings of this government. Many regular public transport users in the north are appreciative of the upgrade to the rail system through what was called the fast rail project, but I have never understood why this government wanted to try to con the people of Victoria into believing the rail upgrade of 2005–06 was a fast rail project when we all know that it was not. Anyone who has anything to do with rail usage and any knowledge of rail projects around the world will know that what happened in 2005–06 had nothing to do with fast rail. In fact many of the services delivered to my home town of Bendigo are slower under the new regime than under the previous timetabling. The government wanted to give at least a perception that it was going to deliver fast rail to the people of Victoria. Irrespective of how deceitful it was, how wrong it was and how factually incorrect it was, the government wanted to give the perception that the people of Victoria would get fast rail from this upgrade.

Some people stand up in this house and ramble, but Mr Guy spoke for 20 minutes throwing out fact after fact. It is very clear that Mr Guy was working in the system when a lot of these decisions and announcements were made. With his firsthand knowledge of many of the facts surrounding transport decisions, announcements and projects he was able to recount those decisions and announcements and that history — with that direct knowledge. Members of the house should have done themselves a favour and listened to what Mr Guy was able to put on the record.

The V/Line rail service to Bendigo has not been able to reach its punctuality targets in any of the last 30 months. For 28 months in a row it has been unable to meet a punctuality target, and it is one of the better services! Some of the other lines are even less punctual. The lack of reliability that people who use the service have to put up with is quite astounding. V/Line aims for 92 per cent of its services arriving within 6 minutes, and it cannot manage that. For longer rail trips out to Swan Hill or down to Warrnambool V/Line gives itself even greater leniency in punctuality; I think it has an 11-minute window, meaning a train that is 11 minutes

late can be called on time. Again it cannot reach its quite generous target of 92 per cent of services on time.

What will always be one of the legacies of that project is the fact that the line from Kyneton to Bendigo was signalled. There was an existing dual line all the way but it was thought good policy — and I do not know how it could have been imagined good policy — to rip one of those lines up. Instead of having a single line go through three heritage bridges, a single line goes all the way with three passing loops. If everything goes to schedule the trains can pass within the passing loops, but as members from both sides of the house, especially Labor, will tell us, there are a lot of hold-ups in the metropolitan system. Once those trains are held up in the metropolitan system, trains end up having to be held up again waiting for other trains to reach a passing loop. A brand new upgrade of the system has built in further ongoing potential problems; that is the way it has been done.

I refer to some of the speed restrictions Mr Guy talked about. Again, the government will profess that we have trains capable of going 160 kilometres per hour. However, on a train trip that goes out beyond Watergardens onto the V/Line section of the track, because of the still quite poor state of the track, there are only very few small pockets of track that are sound enough for a train to reach its full speed. That again is an indictment of 10 years of this government. It has done the upgrade but only to the stage where 130 or 135 kilometres per hour is the maximum speed trains can go the vast majority of the time.

I have a range of friends around the Geelong region who regularly need to get themselves to Melbourne. When they feel game enough they will take public transport — the train — but they are absolutely fed up with the unreliability of the train system. They are equally disillusioned with what they call the 'parking grid' they encounter as they approach the West Gate Bridge. The tens of thousands of people who live in Geelong and regularly work in Melbourne do not know what is the best course of action for them to get to work. It is an absolute lottery for them. At times they can take the car and can get over the West Gate in reasonable time, so they try it again the next week and all of a sudden they find themselves parking their car as they come through Laverton. Sometimes the train works acceptably and gets them to work on time or to their meetings; at other times there will be cancellations, overcrowding, overheating and trains that are simply running late.

This is a constant issue, and when people find out that I am a politician the first thing they say to me is, 'What

are you going to do about the train system? What are you going to do about it?'. I say, 'I am in opposition. There is not much I can do but stand back and throw rocks at them and get them to pick their game up', and they say, 'Well, until someone fixes that up, they have not got a hope in hell of governing this state'.

I hope the government hears people complaining in the same vein in which I hear them complaining. Sometimes members think about these delayed services as just a statistic. They do not realise that every time one of those services is delayed, cancelled, running late or stopped in no-man's-land, there is a whole trainload of individuals who have pressing meetings requiring them to jump on their phones to try to cancel or reschedule meetings and appointments. Their whole day starts behind the eight ball because of this government's inability to deliver a reliable public transport system, which it has promised to do many times.

Many members on this side of the house, including me, are still shaking their heads at the myki fiasco. We keep hearing about the smartcard system that the government has found operating in some other part of the world that actually took nine years to get right. Now the government will keep trotting out the fact that if the old oyster card in London took nine years, we are doing pretty well — and we have taken only three and a half years to get it to the stage of being half operational, so in comparison we are not doing too badly. That is the way this government is going to play it. It is the way it does most things. It will find somewhere else where it is not as bad. When the government gets horrible economic data it will find an analogy in New South Wales, or it will look at Zimbabwe or somewhere else where it is worse and say, 'In comparison, what is happening here in Victoria is not too bad'.

It is simply not good enough. The taxpayers in this state have invested a lot of money in the myki system. The Premier promised it would be up and running by 2009. The government rolled it out on the last day of 2009 when it was effectively half rolled out. The government said it would get the rest of it working in another 12 months, without any great assurances, saying 'We will get it right when we get it right; we will have our people working on it and whatever happens will happen'.

Although the motion moved by Mr Koch is predominantly about public transport, the government is also sadly lacking when it comes to improving the rail freight system. It has only been because of the severe droughts in the north and north-west of the state that the shortcomings have not been exposed. Mr Guy

was very clear with his facts and statistics about some of the maximum speeds on the rail lines in the north-west, heading out towards Pinnaroo where the Ouyen–Pinnaroo line has a maximum speed of 20 kilometres per hour, and that is simply because of the maximum speed limitation. Also a lot of private contractors have sold out because the rail is so ineffective and is in such a poor state. Many of the rail contractors have taken their carriages away from the north-west and converted them to standard gauge so they can use those carriages for transporting coal up in the Pilbara.

This year, whilst the price of grain has not been great, there has been a strong yield in the wheat crops throughout the north-west. Now we find ourselves in a situation where private contractors have been unable to utilise the system because of the ineffective and poor state of the track, so they have just deserted the system. That means in excess of 200 000 extra B-double services will be on the roads this year just to make up the shortfall in the trains which were previously used to transport grain from the respective silos down to the deep sea port at Portland. We have some real challenges in the freight area; it is not just in the passenger transport system.

To progress the theme put forward by Mr Guy, we have had a history of promises made to fix up the rail freight system. Those promises were in the vicinity of \$140 million over three years, and at last call \$43 million of that has been spent. That is a three-year-old promise. Obviously there is a lot of work that needs to be done. The government is continuing with this program, but at a very slow rate. We hope more of those lines are upgraded so that we can reach a situation where there is more confidence in the system. We need operators to have confidence to bring back the trailers and the carriages to service the primary producers of the north-west.

Another area in the public transport system that gets ignored and which was mentioned by Mr Barber is the diminished ability to get around major regional cities. It is necessary to live in these regional centres to realise how limited their transport systems are. Mr Barber has had firsthand experience in trying to get around in Geelong, travelling between Geelong and Warrnambool and then from Warrnambool to link with some of the smaller towns surrounding Warrnambool. Mr Barber's firsthand experience has resulted in him saying he did not have enough confidence in the system to plan a holiday — for instance, a walking or trekking holiday, so he could leave the car at home. It is a shame the system is such that an individual would not have enough confidence in the system to leave his car at

home, let alone someone trying to take a young family somewhere.

In its first reference under this Parliament the Rural and Regional Committee inquired into rural and regional tourism. It found that at the other end of many of our regional destinations there is no confidence that the system will be able to get you around some of the regional centres. Whilst we might have enough confidence to get a train to Shepparton or Warrnambool, the transport that is waiting for us at the other end is sadly lacking. That is something we will have to continually strive towards. It will be driven by the people from those areas, but if we want to make these regional centres more livable and we really want to boost the tourism sector, assist the elderly and allow people to be less reliant on their cars, then we have to give them the confidence that they need. At the moment that confidence does not exist in our major regional centres. People are still driving their cars and still have that very unhealthy reliance on cars simply because they do not have confidence that the system is going to be able to look after their needs.

I want to commend Mr Koch for moving this motion. It is a critically important issue for all people in Victoria but certainly those living in regional Victoria, and in rural Victoria even more so. It is something we need to be very much aware of, and we need to put pressure on this government as it continues to make announcements and make plans for what it will be doing in the future. We need to make sure that its rail projects are done to the highest quality and that it is not simply waiting for the federal government to come along and use borrowed Australian taxpayers' money — and we never know how it is going to be repaid — to fund all of its projects or else its projects will simply sit by the wayside. We need to put pressure on the government to make sure that it fixes the rail network in this state, that it fixes the public transport network in this state and that it gives us the service that we deserve.

Mr ELASMAR (Northern Metropolitan) — I rise to contribute to this notice of motion regarding public transport in Victoria. It is easy to criticise the Labor government on the state of public transport in Victoria, but in all honesty public transport is an open mouth and the Labor government has taken a comprehensive approach to fixing a system that was neglected by the previous Liberal government for many years.

This is not passing the buck or denying the facts. We have already spent many millions of dollars in upgrading railway lines and facilities. We have reopened rail stations that were closed by the Kennett government, and we have added more than

400 additional weekly rail services to the V/Line network.

Due to the global financial situation and with oil prices soaring, thousands of motorists have switched to public transport. Naturally this has added considerable pressure to the public transport system. In order to address this the Brumby Labor government has introduced and rolled out 100 new V/Locity rail carriages and reduced V/Line fares by scrapping the zone 3 tickets, giving a saving of 20 per cent back to the travelling public.

Many initiatives have been introduced to facilitate the movement and carriage of the public to the central business district. The early bird Metcard offers a free journey for those who travel before 7.00 a.m. — an innovation that the early birds are really using.

I worked in transport for 19 years. I know it is not an easy issue, and I know it is a very important issue to the public and to all Victorians. Sometimes things happen during the day — such as an accident on a level crossing — and that is where the Brumby Labor government has taken action. Three hundred and fifty level crossings have been substantially upgraded to enable the safe passage of motorists over railway tracks. Only 75 crossings were upgraded over seven years under the Liberal government. We are putting money — billions of dollars — into continuing to improve services to provide the travelling public with top-level comfort, safety and an economical alternative to high-petrol-consuming cars.

I talk about all this because I have a history in transport and I know how important it is, and I know that the Brumby Labor government is taking this issue very seriously.

Mrs KRONBERG (Eastern Metropolitan) — As I rise to speak in support of Mr Koch's very carefully put together motion today, I am really pleased to see that the Minister for Public Transport, Mr Pakula, is in the chamber because the structure of this motion, through which we are going to highlight our areas of concern with the public transport system as we serve our role as the opposition in holding the government to account, Minister, is as much for you to take on board this feedback, because this is what is concerning the Victorian travelling public. This message is for you as much as it is for us as the opposition to highlight the crisis in the public transport system, and because you are new to the portfolio I genuinely and sincerely hope that you are able to extract yourself from the quicksand of that ministry and all of the people — —

The PRESIDENT — Order! It is not appropriate for Mrs Kronberg to be talking directly to the minister. She should speak through the Chair.

Mrs KRONBERG — I beg your pardon. Through you, President, I want to emphasise that I would like the minister, Mr Pakula, to take on board the points we make in our contributions to this important motion because this is direct input from the travelling public of Victoria, and it is so important.

Through you, President, I also have a snippet of advice that I hope the minister is able to take on board. It is to not rely on the Parliamentary Secretary for Public Transport to any degree whatsoever, because we heard here in the chamber today — and the minister, unfortunately for him and the travelling public of Victoria, was not here to hear it — Mr Tee's threadbare contribution and how, because of his obsessive focus on the performance of the Kennett government in this area, he completely missed the essential factual content he was required to bring to the debate today.

I was very pleased with and indeed quite proud of Matthew Guy's contribution today. He was able to unleash a very important contribution in which he carefully laid out all of the system's faults, and of course we had ample evidence of his encyclopaedic knowledge. I invite the minister to do a comparative analysis, in the early days of his ministerial responsibilities, of his parliamentary secretary's contribution and the far more knowledgeable, realistic and factual contribution of my parliamentary colleague Mr Guy, which was based on truth and reality.

In terms of some of the issues, if we look at the question that is out there in terms of the expectation of the minister for the rectification and ultimately the full commissioning of the myki ticket system — the ticketing system that was implemented at the end of 2009 because the previous minister said it had to be implemented during 2009 — what it has done is inflict a constellation of problems and errors, and it is totally confusing the travelling public.

This project, which is \$350 million over budget, is unworkable. I will give the house an example of how the system is so fraught. I know members have probably taken on board the fact that people have had their accounts credited to the extent of \$160 000 — they must have been quite excited about seeing their myki account up there with those sorts of figures — but I will give them a local example out of my electorate.

During a recent downpour somebody who usually catches the train at Blackburn station was unable to get

to the side of the station from where city-bound trains leave because the underpass was flooded. The minister also needs to look at emergency responses in the case of underpasses being inundated by flash floods. As a result of that person not being able to get to the other side of the station, they had to wait 18 minutes to catch the train back to Nunawading, where they were able to cross over from one platform to another and catch a city-bound train. This person was a holder of a Metcard simply because they use the bus system. When they got to Nunawading, the only available Metcard machine was not working. A number of myki machines were installed at the new whiz-bang station at Nunawading, but the Metcard device, which will be used by people for some time while we are in transition between the systems, was not working.

An important issue which goes to the hearts of the travelling public in another part of my electorate is the duplication of rail along the Hurstbridge line, especially in the area between Greensborough and Eltham. The duplicated line will ultimately run to Hurstbridge. Those people do not have access to enough trains to prevent those trains being packed to capacity. I understand that a train on the Hurstbridge line takes 176 people per carriage and a total of 1056 people. There have been instances where those trains have been packed and have been carrying two people below absolute capacity. That is a really serious problem.

People who live in these areas have a great commitment to ameliorating climate change and abating greenhouse gases. They want to use public transport and are quite dedicated to it, and they avoid using their cars. Unfortunately this government continues to let them down.

I refer to another example, which is a complete con. In order to get the trains off the South Morang extension so that there will be a nice razzle-dazzle train station at South Morang, which will be devoid of train stabling facilities and not like the razor-wired enclosed stabling at Craigieburn station, there is the likelihood of stabling the extra trains at Eltham. That will be met with incredibly stiff local resistance, not only from the community in general but also from the business community and the Nillumbik Shire Council. The minister will be up against it in Eltham if he insists on extra train stabling, because that will just make the South Morang station tidy.

It is important to note that even officers from the department have erred on the side of blurring the facts of this issue. They say, 'The passenger loads at these particular times are only a small percentage of total patronage, and therefore it does not justify bridge

upgrades, the duplication of tracks and so on'. They are actually averaging the numbers of passengers across two lines. That is because VicTrack has nicely grouped the Epping line and the Hurstbridge line together. There is a convenient massaging of statistics. People will say, 'I want to get on the Hurstbridge line. I do not care what is happening on the Epping line'. I think there needs to be a little bit of truth in the reporting of this aspect of the government's intentions by its representatives.

However, I can tell members there will be a wall of resistance towards putting train stabling at Eltham station and despoiling that environment, which has been carefully managed by the community and the elected representatives of the shire of Nillumbik for decades. They take great pride in that. They do not want to miss out on car parking in a confined area. This issue could bring increased graffiti, vandalism and a sea of razor wire to that area. I am happy to talk to the minister about that issue just in case he has not had a full and up-to-date briefing on it.

We have all heard the hackneyed phrase, 'If you fail to plan, you plan to fail'. The government has been somehow knocked over by the population increase in this state. We have got ample examples of this. There has been an increase in the number of vehicles on Victorian roads, with 400 000 vehicles having been put on Victorian roads since 2003. The population has reportedly grown by 74 713 in the 12 months between July 2008 and June 2009. There is a lot of material at the minister's fingertips that will help him plan and prepare the appropriate response.

I pick up on the issue of concrete sleepers, because Mr Tee made a comment about concrete sleepers which was a part of the blurring of facts. I state unequivocally that I regard this as an example of Labor Party spin on this issue. Mr Tee has talked about putting 100 000 concrete sleepers in place. We know the value of that, because we know about the breakdown of the rail system due to the buckling of lines and so on. This number has been clouded by the fact that one in five railway sleepers have been replaced on the Hurstbridge line. It has not been a complete track of railway sleepers but one in five sleepers. I understand there have been new concrete railway sleepers placed next to each other on curves for obvious safety reasons. It is a complete illusion and a fraud to say that all railway sleepers are being replaced when we know that it is only a selective sampling of them.

Hon. M. P. Pakula — Who said it was all? Nobody said it was all. The 100 000 is true.

Mrs KRONBERG — In response to you, President, Mr Tee has just glossed over it with this bland figure of 100 000 sleepers in place as though it were some sort of a triumph. What about all the ones that have not been replaced? It is a complete fraud, and it is completely misleading. I think the minister needs to have a quiet little cup of coffee with Mr Tee.

I know a little bit about large-scale information technology projects, and I want to ask this question: has the government thoroughly examined who the developers of the myki system are actually developing the system for? Quite often very large-scale systems are based on a generic model and then the customisation comes later. This enables the developers of that product to have a worldwide market for their offering. I challenge the minister to conduct an investigation into how fundamentally that system was originally designed for the needs of the metropolitan system in Melbourne and not for the world market. Has the government been conned?

Once again we have an IT project where I say this government has been snowed by people who are a lot smarter than government members are, and perhaps even the people who advise them are part of the process. It is just babes in the wood stuff again — another example of the Labor government not being able to deal skilfully and adroitly with the way business is done.

Mr O'Donohue — Out of their depth.

Mrs KRONBERG — They are out of their depth. I have a recommendation for people who enter train carriages nowadays, especially the overcrowded ones. My recommended form of dress for passengers on systems such as the Belgrave-Lilydale line and the Hurstbridge line is a plastic overcoat that is smothered either with Vaseline or olive oil to allow them to glide past other fellow travellers. Because they are so up close and personal they will need a surgical mask, and I suggest that men and women alike wear steel-capped work boots. I will award top marks to the female executive wearing fashionable high heels and carrying a briefcase who actually survives a trip.

Quite frankly, this government has made an art form of scapegoating the operators of the transport system. To put it simply, operators have every right to expect that the government will undertake its role in the essential support of the system by providing the right amount of rolling stock and the rail infrastructure itself.

This is a system plagued by troubles. This motion was probably drafted in the hope that this minister would

take a different view from his predecessor, because the former Minister for Public Transport was on the record as saying that commuters are preoccupied with punctuality. I hope that the minister will do everything in his power to make sure that he does not adopt that view. We look forward to improvements in the public transport system, and the minister's pledges to take action to improve it.

My final point is that I cringe when people visit me from the Northern Hemisphere and talk about our public transport system. I think everybody is embarrassed. It feels as if we are back in the 1960s. I say to the minister, 'Get a hurry on, make some decisions and get a good plan going'.

Ms HUPPERT (Southern Metropolitan) — I am quite pleased to make a comment on the motion moved by Mr Koch, but I do not think my contribution will be quite as colourful as the previous one. I want to comment on some comments that have been made in this debate. Some people have said that we do not need to drag out history, but the speakers from the opposition benches have been dragging out history and in doing so have seemed to be ignoring the abysmal record of the Kennett government in the area of public transport.

This government has a proud record of working to deliver services and infrastructure in areas such as health, education and of course public transport for all Victorians. Some previous speakers have mentioned some of the changes that have been brought about in the regional rail network, with the resumption of services, the new carriages and the new services that have been servicing people in regional areas.

I represent the Southern Metropolitan Region, which is serviced by a number of train, tram and bus lines, and people in the electorate make extensive use of taxis. As a representative of those people I can say that yes, we have a pretty good transport system. The people in my electorate often say, 'Look, there are problems', and the government accepts that there are problems. As Mr Elasmarr, having worked in the system, put it, it is a very complex system and does need a lot of work constantly to keep it running smoothly.

One of the things that this Labor government has done is make Melbourne an attractive place to live, and as it has done so, people have flocked to Melbourne. Those people are also flocking to use the public transport system, which puts pressures on the network. We have a record of taking action to improve the way the transport system operates, with 1550 services per week in addition to those which were available in 1999. More recently there have been changes to timetabling and in

the direction of trains through the city loop, all of which goes towards increasing the flow of both trains and passengers on the rail network.

Mr Elasmarr referred to the early bird Metcard, which is very popular and has done a great deal to spread the load of passengers during the peak hour. I know many people who use the early bird network. They have chosen to either start work early or make use of activities in the central business district before their working hours start and draw benefit from that offering. In addition, the minister referred earlier today to projects such as the Westall rail upgrade, which will improve services along the Dandenong corridor, again improving services through the Southern Metropolitan Region.

That is not all. As part of the \$38 billion Victorian transport plan there will be some major investments in public transport in the metropolitan area, with the South Morang rail extension, the Sunbury line electrification and new stations, and the regional rail link, which will assist both metropolitan and regional rail services.

In representing the people of Southern Metropolitan Region I know that public transport is more than just the rail network. People rely also on trams, buses and taxis, as I mentioned before. In the near future there will also be some great investment in trams, with 50 new trams on order and a new maintenance depot to be constructed. One of the first things I did as a representative of the Southern Metropolitan Region was attend a bus review meeting in Sandringham. I was really impressed with the contribution of the local community towards the review of bus services. Those people from school groups and community groups and people with disabilities took up the opportunity to have their input into the review, stating the sorts of bus services they want to service their region.

The Doncaster area rapid transit program will increase bus services to that part of the metropolitan area. In addition to that, 534 more taxi licences have yet to be issued, including 330 wheelchair-accessible cabs, so improving the opportunities for transport for people with disabilities.

Having regard to all those initiatives, I think we can say this is a government dedicated to improving the public transport network. It is a difficult task. There have been a great increase in population and a big rise in people wanting to use our public transport system, and there are a lot of challenges to be met in providing those services. This government is committed to doing so. Through the implementation of the Victorian transport

plan and many other initiatives, this transport system will improve in the future.

Mrs PEULICH (South Eastern Metropolitan) — I also rise in support of the motion brought before the house by Mr Koch. I would like to take the opportunity of wishing the new Minister for Public Transport well. He at least lives on the side of town where he might from time to time use the system that has served my region so appallingly, even if it is only for publicity purposes.

Hon. M. P. Pakula — I came in this morning on the Frankston line, and there was not a camera to be seen.

Mrs PEULICH — I have no doubt that the white Caprice was not far behind Mr Pakula. It is very different to the old union days when he was donning the cap and the megaphone at the head of the picket line. It is a different perspective when you have the white ministerial car following your journey on public transport.

Ms Lovell — Waiting to pick you up and drop you off at your home.

Mrs PEULICH — Exactly. I will not say much, except that we have had Socialist Left ministers in charge of our public transport system for 10 years and no-one should really be surprised that our public transport system is in the mess it is in. We have had 10 years of the Socialist Left running our train system, and 21 years out of the last 28 years of government have been under the Labor helm, so the efforts of Ms Huppert and Mr Elasmarr — whom I ordinarily highly respect — to try to somehow say that it is all the Kennett government's doing are pathetic and transparent. We know this government understands that its future rests on winning the public relations war, which is the reason it has recently announced the respect agenda. There could be nothing further from the truth in terms of observing how this government functions and operates.

I will not go much into the statewide detail, but I would like to focus a lot on my electorate. But before doing so I will say that with \$300 billion in revenue in 10 years to build the necessary transport infrastructure to make public transport run safely and on time and to match the population growth of our suburbs, this government has failed dismally.

In over a decade of neglect it has failed to implement a properly integrated transport system and has failed to invest in rolling stock, and there is now the poorly handled myki fiasco. Commuters of Casey, Greater Dandenong, Monash, Frankston and Kingston are more

often than not stuck on platforms, are often late to work and have lost all faith in the public transport network. All the government has to hand out when the system melts down around it is icy poles! I hope Mr Pakula ditches the cheap icy poles and goes for the Calippos — they last longer because they are encased in a carton — in order to make the inconvenience that has been imposed on Victorians by the mismanagement of Labor governments a little more tolerable.

Our public transport system is in turmoil. Recently Victorians finally learned that it was not the operators of the trains who were responsible, it was the government and its failing to invest in the basics — the sleeper replacement program, on which we heard from speakers earlier; fixing the signalling of our system; the union issues, which the Socialist Left ministers have been unable to address; and, most importantly, the fact that the roads and public transport are handled by two different ministers. It makes no sense, because we know there is a close intersect between the two and that our congested roads — which are inadequate, underbuilt, bungled or not built at all — are carrying vast volumes of traffic.

Because there has been a failure to separate railway lines from roads, the congestion of one reflects on the other; it slows down the trains and vice versa. To me it would have made a hell of a lot of sense to consolidate public transport and roads under the one minister. But at least we have some hope. Now we have a Minister for Roads and Ports and a Minister for Public Transport from the same faction of the Labor Party, so perhaps they might actually pick up the phone and talk to one another rather than being in competing factions.

The most common complaints my office receives in relation to public transport include complaints about cancellations and delays in services; phantom trains — they announce new services, but more of them are cancelled than actually run; constant bumbles and failures with the myki system; limited park-and-ride facilities at our local stations because the government has not planned for the population growth; and the failure of the Brumby government to fund additional rolling stock. Instead of fixing one core foundation of our public transport system, this incompetent Victorian Labor government gets away with splurging hundreds of millions of dollars on an unbelievably overbudgeted and incompetently handled myki fiasco.

I would not blame just Ms Kosky, the former Minister for Public Transport. Mr Peter Batchelor, now the Minister for Energy and Resources, was in charge of the system and the regime when it was put in place, and it was overseen by the then Treasurer, John Brumby,

who is the current Premier, and the current Treasurer, John Lenders. This is a whole-of-government failure. It is not just a failure of Ms Kosky or the incredibly incompetent Peter Batchelor. It will take a Liberal government to make some inroads into better managing the resources that we have.

I will not go through chapter and verse the promises that have been made but not delivered by the Labor government for the South Eastern Metropolitan Region, including the promise to build the Cranbourne East and Lynbrook railway stations. Neither of those has been funded or built. The Dingley bypass was promised throughout 1999–2002. It is not in the portfolio of the Minister for Roads and Ports, but at one stage roads and public transport were under the same minister. That impacts on the traffic congestion of roads and also on the government's bus program, in particular the SmartBus. I will speak about a local issue in a moment.

The government is holding out a carrot by building a railway station at Southland to service a new public housing estate. The Minister for Planning wants to build the estate on the old Highett gasworks site, which is still contaminated and has not been given the green light. Even though the government's own transport department has dismissed the plan as not viable, the government is getting the carrots out again to dangle them before the public and lie its way towards another election.

The latest announcement is a demonstration of the failings, the bungling, the lies and deceit, and in particular the incompetence of this government. This is an announcement that the government is planning to install a 24-hour dedicated bus lane along Centre Dandenong Road through the Dingley Village — where there are two informal lanes, certainly not two full lanes — between the roundabout entering into Dingley Village and going to Springvale Road. That lane will be for a bus that runs every 20 minutes and carries very few people and on a road that is already terribly congested, that carries large volumes of industrial traffic, and that runs through Dingley because of the government's failure to build the Dingley bypass.

The member for Mordialloc in the other place was involved in the consultation. Minister Pakula should stay and listen to this. I have here the results of just seven days worth of surveys. Ms Munt and the Department of Transport conducted the bus review consultation. The flyer delivered to letterboxes arrived the day after the consultation. I actually spoke about that in Parliament. Now the department is moving towards installing a dedicated bus lane, which would absolutely lock Dingley up. By all means build the

Dingley bypass and let us see where we need to go after that, but in the meantime the government is going to make Dingley Village unsafe and make it terribly congested for traders, for schoolchildren, for pedestrians and certainly for commuters. I think Dingley Village deserves better.

The response to this survey has been overwhelming, with most respondents saying that this is the first time they have heard anything about the planned bus lane. I would like to quickly quote some of the comments that have been forwarded to me. One is:

Traffic, at peak times, is appalling as it is, with two lanes. It would be totally gridlocked with one lane.

Another one is:

The majority of traffic is not buses. This scheme is sheer lunacy. The bank-up of traffic through Dingley at peak hour in particular is already chaotic. How will we be able to turn into our streets if no gap is left in one continuous line of traffic?

Another one:

This is the first we have heard of this plan, and I find this totally irresponsible of the government not to inform the local community of their plans. Janice Munt's silence has been deafening. She is very quick to send letters advising us when she believes positive outcomes are the order of the day, such as the Boundary Road and Lower Dandenong Road intersection upgrade, but not a word from her on this plan.

Further:

I walk along Centre Dandenong Road most days, early p.m., and have never seen more than 10 people on a bus, each 20 minutes, so how can they dictate traffic flow to us?

Another one:

Narrowing this road would be an absolute disaster. I never see any buses — just cars and trucks.

And so it goes on.

I invite Minister Pakula to meet this Friday with residents and postpone this particular plan to enable proper consultation to take place and to make sure that the lives of Dingley Village residents are not devastated for the next decade until the Dingley bypass is built and indeed that we avert a disaster in the making. The construction start time is 22 February. This is just one illustration of the sort of bungling that we saw result in a very protracted reconstruction of the Mordialloc bridge. It is one crisis after another.

I certainly wish Minister Pakula well. I hope he does better than his predecessors, but I firmly believe that these failings are those of an entire government: the Premier in his various roles as Treasurer and Premier,

the current Treasurer, who is overseeing the myki system, various other ministers and the decision by the government to keep public transport and roads in separate portfolios. This is misguided. I look forward to the residents of South Eastern Metropolitan Region — and, in this specific instance, Dingley Village residents — getting a better deal with a new minister. I suspect that will not be the case, but I certainly hope that Minister Pakula will be a bit more receptive than the other ministers for transport have been.

Mr SCHEFFER (Eastern Victoria) — Mr Koch's resolution invites the house to call upon the new Minister for Public Transport, Martin Pakula, to answer a number of assertions relating to time lines for the implementation of the myki ticketing system; the braking problem of the Siemens trains; the maintenance of rail tracks, overhead electricity lines and signalling systems; faulty air conditioning; and unpunctuality on regional lines.

Mr Koch and other members of the opposition know that government members are as concerned as anyone about a number of significant issues that need to be addressed to improve the standard of public transport delivery. The government's \$38 billion Victorian transport plan is the most comprehensive in Victorian history. The plan has been well received and has the confidence of transport experts, interest groups and, increasingly, significant sections of the general public.

Daniel Bowen, as members would know, is the president of the Public Transport Users Association, an organisation that is a longstanding trenchant critic of this government's transport policies. Shortly after the resignation of the former Minister for Public Transport, Lynne Kosky, Mr Bowen said that she had:

... started to fix the problems through increased investment in maintenance and infrastructure, the full effects of which are likely to be felt in the next 12–18 months.

At no stage has the government denied the shortcomings of public transport in Victoria, and I think it has made significant advances in turning around those services to the benefit of the public. The Victorian transport plan is the key organising element in the government's response, and the opposition has not at any stage offered a serious and comprehensive criticism of the plan. I have not seen any assessment from the opposition setting out the weaknesses of the plan or alternative approaches — for example, the opposition's website points out the glitches in the rollout of the myki ticketing system ad infinitum but it offers no policy alternative. The government's view is that while the glitches are absolutely not good, they can be expected to emerge as a system as complex as this is rolled out

and becomes operational. All complex systems need time to iron out initial glitches.

In question time yesterday the Minister for Public Transport, Mr Pakula, said that comparable systems in the UK, for example, had taken up to nine years to finally stabilise into the smooth running system that operates today. This does not mean we will have to wait nine years for the glitches to be resolved in Victoria, but it does mean it is unreasonable to expect a system that relies on complex data transfer from thousands of moving vehicles to swing into seamless and flawless operation as soon as the switch is thrown on day one.

Mr Koch interjected.

Mr SCHEFFER — I advise Mr Koch that systems such as myki are rolled out gradually and carefully but almost inevitably they have initial problems. The fact is that the modernisation of Victoria's public transport system is a highly complex undertaking, and while there have been mistakes and false starts, the policy direction and the transport plan are fundamentally correct and we are making progress. As I said earlier, no lesser critic of the government's transport policy than Daniel Bowen agrees that the government is getting on top of the situation through significant infrastructure investment. The motion, with its list of purported failings, is merely a political device for the opposition to discredit the government out of hand rather than carefully assessing the government's transport plan. We know this is the case because in the end no answer or explanation of the realities of undertaking a project of this size will satisfy the opposition.

Other speakers on this side have already spelt out in some detail the responses to Mr Koch's questions, but in summary — and I will run through them very quickly in winding up — the new myki ticketing system is the necessary next step in the transformation of Victoria's transport ticketing system. I do not think anyone is proposing seriously that the current Metcard system has much life left in it. It is reaching its use-by date and very clearly needs to be replaced. Nobody is saying that Victoria should not be moving to smartcard technology, or not as far as I hear. Nobody is saying Victoria should stick to magnetic strips or go back to cardboard or paper tickets.

In relation to the problems facing Siemens trains, the government has ensured that affected trains are taken offline and tested rigorously. A number of trials are already under way to identify some of the problems associated with the braking on the Siemens trains, and any train that is not performing to standard is of course

withdrawn from service and tested by Public Transport Safety Victoria, which is an independent authority. When the trains are suitable they will be put back on line, and if they are not they will continue to be worked on.

Victoria is not alone in having difficulties with the performance of trains in extreme weather; in particular last summer quite a number of academics and experts in the field wrote in the press about the difficulties in comparable areas not only with heat but also with extreme cold. These problems are very expensive to overcome. This is a worldwide problem, and the government will invest \$500 million over eight years on improved rail maintenance, which will go towards ameliorating some of those difficulties.

The good news is that as a result of stepped up maintenance programs already under way we are seeing improvements in reliability — for example, during the hottest day last month we saw 10 more trains in service compared to last year's hottest days. This is during morning peak times.

Punctuality of trains is an issue, and it is a key focus of the Victorian transport plan. Of course transport punctuality is directly related to the quantity of the rolling stock and the infrastructure it runs on. Again the Victorian transport plan outlines the investment the government is making in additional trains and improved infrastructure. The evidence is there in the major upgrades to remove bottlenecks, the laying down of new rail tracks and the provision of additional and express services. The regional rail link will deliver improved capacity for an extra 9000 regional and suburban passengers every hour.

Finally, Mr Koch's motion refers to the punctuality of V/Line trains. The restoration of rail services to country Victoria that were shut down by the previous Liberal government has been a major achievement of this Labor government. The restoration of the line to Gippsland through to Bairnsdale has been a huge benefit to hundreds of thousands of commuters in Gippsland and in the Latrobe Valley. The rail service is linked with the bus — —

Mr Guy interjected.

Mr SCHEFFER — There are 495 000 voters in my area, so I am talking about hundreds of thousands. The restoration of the line includes the articulated bus services which extend the rail service, and therefore many more people can commute across the area. The increase in the number of services on both metropolitan and regional rail networks has led to some congestion

on the metropolitan boundary. The regional rail link will allow for additional capacity to be introduced on metropolitan and regional networks.

Overall, while there are clear and acknowledged public transport challenges, the government is making significant strides in improving the position through the Victorian transport plan and the investments it articulates. I am confident that in not too long a time Victoria's public transport system will be second to none in its efficiency and service quality. I am equally confident that Minister Pakula will provide the leadership to bring about these necessary improvements.

Mr O'DONOHUE (Eastern Victoria) — I am pleased to rise to make a brief contribution in regard to the excellent motion moved by Mr Koch. Without going through the motion, it details a number of the issues facing Victoria and its public transport system.

To pick up on the main contentions made by Mr Scheffer and some other government members in relation to the motion, in summary they are twofold: that any failings currently in the transport system are a product of the inheritance from the Kennett government, and that all the problems will be fixed with the transport plan. Mr Scheffer and other members conveniently forget that the Labor government has been in power for over a decade, and indeed the Labor Party has been in government for approximately 75 per cent of the last three decades. Any problems in the system are by and large the making of the Labor Party, and it is time it took responsibility for the errors, the failings and the issues that confront commuters and all Victorians.

The Treasurer, Mr Lenders, often says in response to adjournment debate matters from opposition members that they are nothing but mere budget bids. The Victorian transport plan is a budget bid to the commonwealth. That is all it is. It is a wish list. It is a submission to the commonwealth to hand over funding for public transport and associated infrastructure.

It is an absolute disgrace that every time I go home and put on the television or the radio there is another state government advertisement, paid for by the hardworking taxpayers of Victoria, advertising its budget bid to the commonwealth. Such advertising is a disgrace and an abuse of taxpayers money, and government members should be ashamed of themselves. They should be ashamed that after over a decade in power they have left a public transport system that is falling apart, that cannot cope. Somehow the magic pudding of the Victorian transport plan is supposed to materialise over some unspecified period and solve all these problems.

The government does not know where the money will come from, but it tells us to trust it because it is going to spend as much money as it can on advertising and promoting itself to try to convince us about what is going to happen. The government tells us not to worry when we get in the car at Pakenham or Cranbourne, in the northern suburbs or the outer eastern suburbs about it taking us so long to get to work or that we cannot get a car park at the railway station but get stuck on the West Gate Freeway, the Eastern Freeway or the Monash Freeway and cannot get to work. It tells us not to worry; it will fix it at some unspecified time. It tells us it is not its fault that the situation is the way it is. Government members say, 'Yes, the government has been in power for 10 years, but it is the Kennett government's fault! Everything is its fault'. It is about time the government took responsibility and started solving some of these problems.

To go to the actual motion, the myki ticketing system has been an unmitigated disaster and a waste of hundreds of millions of dollars. The Minister for Public Transport needs to make it one of his no. 1 priorities to get this situation under control and to give a commitment to the Victorian people as to when the system will be up and running. Sure, he has only been in the job a short time, but it is not good enough to dodge questions on when the system will be operational. He needs to be up-front and transparent with the Victorian people so we all know when this system, which is hundreds of millions of dollars over budget and years late, will be operating.

In his contribution Mr Scheffer said, as have other members, that this is very complicated technology, that there will always be some glitches, and that is not unreasonable. If that is the case, why was there an artificial time line that Mr Scheffer and others in effect are now saying could never have been met in the first place? Why were they not open in the first place about this being a system that may take some time to be implemented properly? Moreover, we have heard about Hong Kong, London and elsewhere where this sort of technology has been rolled out before. Why were the mistakes, the issues and the technological challenges from those places not absorbed before the expedition started here in Victoria?

The issue of the Siemens trains is very serious. Trains overshooting platforms and failing to stop as required is very dangerous, risky and a serious problem. We were assured it was fixed last year. Clearly the problem is yet to be resolved. It is an ongoing risk that is a real problem for the government and for commuters. The government needs to focus on the fundamentals, and that is why I welcome the motion moved by Mr Koch.

This is about getting back to the fundamentals of fixing the infrastructure challenges in what is a fundamentally challenged system that needs a lot of attention and a lot of work, even though it is perhaps not sexy or good for photo opportunities, press releases and the like.

The government boasts about its record in country Victoria, but it has failed to honour two key election pledges from 1999 to reopen the South Gippsland railway line and to reopen the Mildura railway line. Government members talk and talk about what they have done in other places, but they should be honest. Yes, they may have reopened some railway lines, but they need to be open and honest about what the government lied to the Victorian people about. It made commitments over a decade ago and failed to deliver on those commitments. That is not good enough, and the government must be held accountable for those failings.

Finally, I implore the new transport minister to reconsider the decision for some Traralgon line trains to terminate at Flinders Street. This is an erroneous decision. Sending the Traralgon line trains through to Spencer Street gives country people from Gippsland access to other country lines, to the Skybus which takes them to the airport and to that end of the city. The decision to terminate some services from Gippsland on the Traralgon line at Flinders Street is the wrong thing for Gippsland commuters and for country people, and I implore the minister to reverse this decision. I welcome the motion moved by Mr Koch, and I commend it to the house.

Mr FINN (Western Metropolitan) — In rising to support Mr Koch's motion this afternoon I am reminded of what Mr Elasmar said in his contribution to this debate. His exact words were, 'It is easy to criticise the Brumby government on the transport issue'. He is dead right! He is spot on the money. It is very easy to criticise the Brumby government on what it has done to the transport system in this state. It has turned the transport system in this state into a blithering mess. If the transport system in this state were a human being, it would be locked away for its own protection. This is a disaster on wheels — sometimes it is on wheels, sometimes it is not!

I have to say that when I listened to members of the government speaking against this motion today there did not appear to be a great deal of enthusiasm. There was not a lot of fire in the belly. That might have something to do with the fact that there is an admission and acceptance by members of the government that they have really stuffed up the transport system. Over 10 years they have made the transport system in this state a total mess.

I cannot quite remember who it was, but a little bit earlier I heard a government member alluding to what he saw as a fact, that it is all Jeff Kennett's fault. If I hear that once more, I think I am going to throw something. Jeff Kennett has not been Premier of this state for nigh on 11 years. This government cannot keep blaming Jeff Kennett for everything that goes wrong. Labor has held the great office of government of this state for nearly 11 years. It has got to start taking responsibility.

Mr Lenders — Who blamed him?

Mr FINN — Mr Lenders, the government must start taking responsibility for its actions over a decade; it has been there longer than the Kennett government was there. It has been there longer than the Cain and Kirner governments were there. This is one of the longest serving governments we have seen in recent times. It is necessary in my view that the government take responsibility for its own actions. To blame Jeff Kennett or somebody else for what is going on is wearing little bit thin.

Members of the government should go out and have a chat to the people in the street, their constituents. Maybe some of them do from time to time, I do not know; I certainly do. The feedback I get is that the people of Victoria are getting very sick of this government blaming Jeff Kennett for everything. There is no way Jeff Kennett or anybody else can be blamed for what the Labor government has done to transport in this state.

Let us go back to 1999 when the Labor government fell into office. I remember well that as part of Labor's policy it had an airport rail link. We all remember there was going to be a rail link between the airport and the city. I tell you what: we in the western suburbs, particularly in the north-west, can lay claim to being victims of the first broken promise of the new government, because within I think one month of this government's coming into power, the airport link was off the agenda. It was gone. That was the very first broken promise of the new Labor government, and the first of many, I might say. But we claim the title of victims of the first broken promise of the then Bracks government.

Instead of having an airport link as they do in Sydney and Brisbane quite successfully — I have used them on a number of occasions and they work very well — we have something else. I do not wish to have a swipe at Skybus, because I think it does a relatively good job, but it certainly is not the rail link we were promised as

part of the platform that brought the Labor Party to government in 1999.

Then we have the 'farce' rail. We all remember that because like myki it went on forever. Labor costed that at \$80 million. At the end of the day it came in at over \$1 billion. Right from day one Labor had its figures totally wrong. As we see on a daily basis, nothing has changed. We had the farce rail blow-out before our very eyes, and in some places, like Bendigo, for example, trains come into their stations up to 30 seconds earlier than before. We are spending over \$1 billion to get trains travelling faster and arriving 30 seconds earlier than before. That is quite ludicrous.

Then of course we have what I described this morning as the great gamble — myki. I went into a little bit of detail this morning. It seems this is the latest gambling game in Victoria, because you put money on the card and sometimes, as was discovered last weekend, you hit the jackpot and might get \$1600 and \$1700 put on the card for you. On the other hand you might lose the lot, as happened to one of my constituents just this morning.

Can I suggest to the house and the government that as part of the promotion — and let us face it, this government is all about promotion — and marketing ploy for this new ticketing scheme, the government embrace the gambling aspect of this and call it 'mykino'. That would appeal to a good number of people in this state and might get us somewhere.

It might actually get some money back, because we have already as a state lost over \$1.3 billion down the drain on this scheme with the promise of more to come. We do not know, we have no idea, how much more this government is going to lose. Will it be \$2 billion? Will it be \$3 billion? If we have gone through nine years and we have got to \$1.3 billion, perhaps we might see an acceleration and more losses as we speed through this wonderful new ticketing process.

What a disaster it is. It would be a joke if it were not the hardworking taxpayers of Victoria who are being slugged for this monstrosity of a so-called ticketing system that at this point will not get us down Bourke Street. If I had a myki ticket in my pocket and I got on the tram out the front of Parliament House, it would not get me down Bourke Street. After our spending \$1.3 billion the ticketing system will not get us down a major street in the city of Melbourne.

It raises the question of what we could get for \$1.3 billion if this government knew what it was doing. If this government were responsible enough to care

about the taxpayers money in this state, what could we get for the \$1.3 billion that has been blown on the ticketing system that cannot get us down Bourke Street? How about a decent train system? How about putting in the infrastructure that is necessary for trains to run on time? How about fixing up the North Melbourne railway station so the trains from north of Melbourne and west of Melbourne and the rest of Victoria, I should say, could actually get through what is now an enormous bottleneck? How about that money going towards solving the problem of the North Melbourne railway station? That might be good.

How about putting some infrastructure in place to ensure that whenever the temperature reaches more than 35 degrees the system does not start falling to pieces? I might be a lot older than I used to be, but it seems to me that when I was a lad it was very hot as well and the train system did not grind to a halt every time it reached 35 or 36 degrees. These days that seems to be par for the course, so how about the government put money it may have left after the myki disaster into infrastructure to stop that from happening?

If we had not blown the \$1.3 billion, perhaps we could have put some money into the Laverton railway level crossing. I was told by a constituent that last week the gates were closed for 18 minutes. My constituent sat at the level crossing at Laverton for 18 minutes waiting for trains to pass before he could go on. At Hoppers Crossing, a little bit further out, there is exactly the same problem. On a number of occasions I have seen near misses as a result of conditions at this level crossing, and I have also seen the real thing — that is, car coming into contact with car — as a result of conditions at this particular level crossing. If the government had not blown \$1.3 billion on its non-existent ticketing system, we could have got some value for money — a concept not known to the Labor Party in this state. We could have got some value for money.

There is much I could speak about on this subject because it is a huge one. It is a subject that goes to the very core of the credibility of this government. The people of Victoria are looking at what has happened with myki and they are saying, 'If that is the best the Brumby government can do, it is about time government members got on their bikes and went out'. They want the Brumby government right out of town. On Saturday week the people of Altona will get their opportunity to tell the Brumby government what they think of it, and in November this year we will all have the opportunity to return this state to responsible, good, hardworking government — something we have not

had for a little over 10 years now, and it is about time we went back to it.

As I have said, I strongly support Mr Koch's motion. I hope that as a result of this motion we see some improvement in the Brumby government's performance on transport, but I will not be holding my breath.

Mr VINEY (Eastern Victoria) — If Mr Finn wants some passion, he can have some. Let me start where Mr Finn finished. He said that in November he would like to go back to the sort of government we had with the Kennett government, having spent several minutes saying that the Kennett government was not responsible for any of the errors of the public transport system. Mr Finn wants to go backwards. He wants to go back to closing railway lines. He talked a lot about level crossings. Under the Kennett government an average of seven level crossings were built each year, but under this government 35 level crossings have been upgraded every year, making a total of 350 upgrades. Is that the sort of thing that Mr Finn wants to go back to? That is the sort of history lesson he wants to give us. He wants to go back to the future with the Kennett government closing railway lines —

Mr Finn — Have you got a tram ticket? Have you got a ticket that will get you down Bourke Street?

Mr VINEY — I went down Bourke Street yesterday quite happily with my wife. She managed to negotiate buying a ticket, so I do not think there is any problem.

Mr Finn — Did she use myki on the tram?

Mr VINEY — There was a group of tourists on the tram with me, and they all managed to buy tickets, to validate them and to have a successful journey.

We hear a lot from the opposition about the disasters in the public transport system. Let us put into context what is going on in the transport system. Since we came to office in 1999 patronage of the metropolitan transport system has doubled. Twice the number of people use the trains today than when we were elected in 1999. Why? It is because from the end of the Second World War to 1999 — if you have a look at the patronage graphs — there had been a continuous decline in the number of people using the public transport system in this state. However, when we came to government we invested in and made a commitment to public transport, and members of the public have voted with their feet. I am not going to stand here and say the public transport system is working perfectly — obviously it is not — but you have to look at this whole situation in context.

There has been a doubling of patronage on a system that had been left to decline under many governments since the Second World War. That is the fact of the matter. It may be that historically this side of politics shares some responsibility for that, but let us be honest. The whole of Victoria allowed the system to decline until 1999. In 1999 we saw investment going back into the system at levels not before seen.

Honourable members interjecting.

Mr VINEY — Members of the opposition are laughing again, as they did when we made the commitment in 1999 to upgrade the regional rail systems. They laughed and mocked because they were embarrassed by what they did to our regional rail systems. I remember at a public meeting in Maffra during the 2006 election campaign Mr O'Donohue talked about the difficulty of getting a train on the Gippsland line. This was at a time when we were upgrading that line. Audience members just about fell over themselves laughing, because we had to point out to Mr O'Donohue that there was a time under the Kennett government when you could not catch a train east of Traralgon. Train services did not exist because they had been taken off the system.

When we decided to invest in the regional rail system we not only had to put trains back in and upgrade the system but we had to improve what was a decaying system that had been neglected for many years by successive governments. It had been neglected for a long time, but it was this government that decided that that was enough and there had to be an end to the neglect of our public transport system. There had to be a government that was prepared to invest and say to the people of Victoria, 'We will invest in public transport, and we believe that you will respond to that investment with your feet', and that is what Victorians have done.

On the regional rail system there had been a 40 per cent increase in patronage the last time I looked at the data — certainly on the Traralgon line. As someone who regularly uses public transport, I know it is an exceptionally good system. As I said, there has been a doubling in patronage of the metropolitan system in 10 years. I would say there probably would not be many rail systems in the world that would not groan under the pressure of a doubling of patronage in a 10-year period. That is extraordinary growth, and it has required significant investment by this government.

We have heard how Mr Finn wanted to reinvent history during his little history lesson. He asked why we have not fixed up infrastructure, and he pointed out that the specifications for the air-conditioning systems on some

trains have them cut out if the outside temperature exceeds 30 degrees, and he said we need to fix these things. Let us just have a little look at that. When did those trains come into the system? They came in from the end of the 1970s and into the 1980s. When were those specifications written and by which government? They were written by the Hamer government. Clearly a mistake was made, but we are the ones fixing it. Those problems were not fixed by members of the Kennett government; they were not responsible for it, but we are progressively fixing it.

There have been problems with the system, including problems with the signalling system. In the middle of upgrading the fast rail services in country Victoria there was a train disaster in New South Wales. As a result of the investigations into that disaster entire new specifications were written in relation to the signalling required on those rail services, which required an upgrading of the signalling systems in those services.

It is like when you renovate a house: you do not know what is there until you rip the wall off. When you rip the wall off or rip up the floor you might see there are some other things you have to improve. As we were doing the rail systems in regional Victoria, it was realised that substantial work needed to be done on the track, on the sleepers and on the signalling. This required significant investment over and above what anyone could reasonably have expected. When you get into these things sometimes you see the decay that successive governments have allowed to occur.

I think someone said Labor governments had been in power for a considerable period, but after the Second World War we had 27 years of conservative rule, and during that period there was an appalling lack of investment in the public transport system — probably next to none — as well as massive decay in the system and a failure to upgrade it. During that period there was a significant decline in patronage, and that continued through the 1980s and through the Kennett period. In fact it got significantly worse under the Kennett government, because during that time the answer to the problem of dealing with the decay in the system was not to invest in it but to rip it up. It was to rip it up and sell it off. That was the Kennett government's solution to the failure of successive governments to properly invest in our public transport system.

That is not this government's solution. This government's solution to the problem of successive failures to invest in the public transport system has been to do what is required to invest in it.

Mr Barber — To privatise it again.

Mr VINEY — That is not right, Mr Barber; that is absolutely incorrect. There was a change to the system under the Kennett government, and we are investing in the system so that it delivers service to Victorians. A decision was made to continue the operating system, particularly at a time when so much public sector investment was going into the infrastructure. It was not the time to try to unscramble an egg. The decision of this government was that the solution to the failure to invest in the public transport system in the past was to invest in it for the future.

In the transport plan there are investments of \$38 billion, \$6 billion of which will occur in this financial year. That is on top of the investments we have already made. We have returned passenger services to Maryborough. I was pleased to go to Bairnsdale to be part of the celebrations of the 10th anniversary of the return of trains to Gippsland. I was very pleased to be there, and as I have said to the house before, by coincidence I happened to be in Bairnsdale on the day of the last train service going in there. The community hijacked that train. The members of the community were not just objecting to what the Kennett government was doing to the rail system; they were objecting to what the Kennett government was doing to schools and hospitals and infrastructure across Victoria, and particularly across country Victoria. The image I most remember of that day is of a small child with a little placard around their neck saying, 'Jeff Kennett, you closed my kinder too'.

Mr Vogels interjected.

Mr VINEY — Here we go. Mr Vogels says, 'Oh, tug at the heartstrings!'. Does that not show us what could happen if in November the Victorian community decides to give those opposite another chance? Mr Vogels has just expressed the heartlessness of conservative thinking.

Mr Vogels — I'm such a heartless person!

Mr VINEY — Yes — 'tug at the heartstrings'. The fact is, Mr Vogels, that under the previous conservative government there was no concern about the impacts on communities, particularly in country Victoria, of ripping out schools, of closing 12 country hospitals, of sacking 4000 nurses and 8000 teachers, of closing railway lines in Gippsland, Maryborough, Mildura and South Gippsland.

Mr O'Donohue said the government was not prepared to reopen the South Gippsland line. The investment is too significant, and let us put that in a bit of context. In the 1980s a Labor government had to reopen the South

Gippsland line that the previous Liberal government had closed. The opposition was asking us to do it again so that next time it could close the same line again.

The opportunities for Victorians in our public transport system will be greater and greater as we continue to invest and as this government continues to show confidence in our public transport system. It has demonstrated that confidence with the appointment of Mr Pakula as the minister taking on this responsibility. We on this side have confidence that Mr Pakula will continue the commitment of the Labor government to investing in public transport and to showing the Victorian community that we believe in it and in the public infrastructure value of public transport. As many ministers on this side have said many times, it is with those investments that this government will continue to make Victoria a great place to live, work and raise a family.

Mr KAVANAGH (Western Victoria) — I would like to congratulate Mr Pakula on his appointment as Minister for Public Transport and congratulate him on his courage for accepting a job that often does not result in many thanks from people.

We have a large and diverse public transport system in Melbourne. A lot of emphasis has been placed on what is wrong with the system — and there is a lot wrong with it — but there are some good things as well. Not only do we have a very good tram system, for example, which Melbourne is famous for — —

An honourable member — If you are in the central business district.

Mr KAVANAGH — Yes, if you are close to the city, but also it was noted in the *Age* recently that over the last year improvements have been made to the train tracks in Melbourne that greatly reduce the amount of buckling in the track, so that is quite an achievement and something that should be acknowledged too.

The problems we have are partly caused by the fact that Melbourne is such a low-density city. Most people still live on quarter-acre blocks, and that means the population is spread out and we cannot achieve the sorts of efficiencies in public transport of a city like Hong Kong, for example, or even London, and perhaps not even Sydney.

We have cancellations, overcrowding and lateness and, as was indicated by Mr Barber, some of our regional cities, in particular Geelong, are underserved in terms of public transport. Geelong should really have a big injection of investment into public transport because at present transport is very much lacking. It provides a

very low level of service for the residents of Geelong, and the way that services are operated is not conducive to improving the quality of that service. I am talking in particular about a lack of information available to people in Geelong about the services and rates of punctuality, and information of that nature.

In my opinion the people of Victoria were done a disservice when the Kennett government corporatised our public transport, and that continues today. It allows governments to avoid responsibility for public transport, much to the detriment of the system. We would be better off if the state government was still the direct manager of our public transport.

In terms of other problems, graffiti is a big problem. It is a big problem when you realise how much money and effort people put into beautifying and decorating their own environment in their homes, and so on. They do that because it is important to live in a clean, beautiful environment. Graffiti makes people feel depressed, it encourages crime and causes people to feel alienated from their environment, and even to feel fearful. Those important aspects of our public transport system really could be improved by reducing the amount of graffiti.

Obviously we have quite a lot of problems in our transport system. Recently we built, at huge public cost, an iconic new station in Melbourne, the Southern Cross station, and I am surprised no-one has yet mentioned it. The estimates for the cost of that station range up to about \$1500 million. It is a beautiful station, but obviously hundreds of millions of dollars were spent to put an attractive roof on the station. It seems to me that was a mistake in priorities and that it would have been better to improve the service rather than to make a beautiful station. We do not know exactly what the figures are because, incredibly, there is actually a 50-year moratorium on getting information about that.

Mr Vogels — You won't be here.

Mr KAVANAGH — No, we will not be here. Perhaps by that stage enough time will have passed so that people will not be absolutely livid when they hear how much that wavy roof cost.

What kind of public transport system should we have? Like Mr Barber, and perhaps like Martin Luther King, in terms of public transport I have a dream of a society in which people do not need to have a car. What kind of society would that be? It would be a much better society in a lot of ways. It would be a society in which the environment might be very much better and where there was not the degree of air pollution or traffic

pollution we have now and which comes just from the existence of moving cars. It might be a society where, for example, there would be fewer deaths from transport injuries. Not only would it improve our quality of life but it would actually improve our standard of living greatly if we did not have to spend a large part of our income buying, maintaining and running a car. We would see improvements in reduced carbon emissions, which is something for which, at the moment, the federal government is prepared to pay billions of dollars. What about putting some of that money into reducing carbon emissions from private cars by making investments into public transport?

In addition, one of the ongoing problems of our economy in Australia is our balance of trade. We keep buying much more than we are selling to the rest of the world. One of the things we keep buying in huge volumes is petroleum. If we could reduce our consumption of petroleum, no doubt our balance of payments would suddenly improve greatly.

We have heard today about the myki fiasco. There has been \$1300 million spent, and counting, on a system that so far is not working very well at all. It may work in the end, but for that sort of money it should be working very well and should have started working a long time ago. It seems to me that producing tickets, printing them, selling them, inspecting them and prosecuting people who do not have them is a very expensive business. If we did away entirely with the need for tickets by making public transport free to the user, it may not have that very high net cost. In fact the *Age* last year or the year before estimated it would cost about \$350 million a year net. When that is compared to the cost of myki, it is clear you could run Victorian public transport at no cost to the users for four full years for the cost of myki so far. Would it not be better just to make public transport free?

In addition, of course, other money — huge amounts of money — is spent on roads infrastructure. If you provided public transport free, surely you would not have to pay as much for road infrastructure? There are estimates for improving and increasing the capacity of the West Gate Bridge. It would cost \$1500 million for just that particular bridge. If we had public transport running across, it would be even more expensive than myki.

Mr Finn — Just.

Mr KAVANAGH — Just. But if we had good public transport running frequently over the West Gate Bridge, perhaps we would not need to spend that \$1500 million. That \$1500 million would, according to

the *Age*, run public transport in Victoria with no cost to the user for another four or four and a half years. Of course there would be benefits to drivers as well — benefits for which they would probably be prepared to pay. How much would I or anyone pay to have half the cars taken off the road? I do not know, but I would certainly pay something.

In summary, it seems to me that the current system of public transport in Victoria, while disappointing, is not outrageous on the whole, although we could do far, far better than we are.

Mr P. DAVIS (Eastern Victoria) — I am pleased to have the opportunity to make a contribution to the debate on the motion before the house, which I will not read in full as members know the substance of it. It calls on the Minister for Public Transport to address the house on some fundamental questions about the delivery of public transport services in this state.

In my preliminary observations, as a courtesy I ought to congratulate the minister on his appointment. I believe it is a great honour for any member of this place to be sworn in as a minister of the Crown. It carries with it an obligation. To become responsible for the stewardship of delivering public transport services, a key area of government responsibility, is, of course, an important step for any member of this house. In a sense I wish the new minister well. I certainly make the point that he has a challenge in front of him. Clearly the outgoing minister has left a mess, as her predecessor did. It can only be suggested that public transport over the last decade has not been well served by the two ministers who have held the portfolio for extended periods. Overseeing their functions has been the Premier of Victoria who was previously the Treasurer, John Brumby. Therefore he is the person primarily responsible for the general policy direction and funding of public transport.

It is important to remind the house that, as has been touched on, under the watch of the former Treasurer, now the Premier, a commitment to regional fast rail blew out from \$80 million to \$1 billion. The investment of \$1.3 billion in the myki ticketing fiasco indicates the lack of attention to managing the resources of the state by John Brumby and his succession of transport ministers. More recently, as has been alluded to by previous speakers, the government's transport plan — the much-advertised, promoted and referred to public transport plan — of \$38 billion is essentially a wish list because it has been funded to the extent of a commitment thus far of only \$8 billion, so there is \$30 billion left unfunded that can only be regarded as a wish list.

That illustrates the broad financial framework. What those comments do not touch on is the service delivery. Clearly Victorians are extremely disappointed with the performance of the government in public transport provision. One does not need to undertake public opinion surveys to establish that. You only have to turn up on a railway platform or indeed speak to people in the street who use public transport to know of the frustration with the reliability of public transport services.

From time to time I use public transport — not often, admittedly, because it is not convenient in the large regional electorate which I serve. The public transport system is not designed to cope with the vagaries of the role of a member of Parliament, but where I can I use public transport, including travelling by train from Sale to Melbourne. I was therefore interested to hear the comments of one of my colleagues, a member for Eastern Victoria Region, Mr Viney, when he was taking great pleasure in joining in some comments in what I can only say was an attempt to slag my colleague and another member for Eastern Victoria Region, Mr O'Donohue.

The suggestion was that Mr O'Donohue, in referring at a public meeting during the 2006 election campaign to the failure of the government to maintain a train service east of Pakenham, was in some way inconsistent because under the Kennett government there were no trains east of Traralgon. Mr Viney needs to spend more time in his electorate, and perhaps I could offer to give him a tour of the electorate. At no time under the Kennett government was the rail service between Traralgon and Sale at threat. If Mr Viney does not understand that Sale is actually to the east of Traralgon, he would not know that in fact a proper rail service to the east of Traralgon was maintained at all times.

That leads me to remind Mr Viney that in the 1980s under a Labor government — his party's government — rail services in Gippsland and South Gippsland, and in particular the East Gippsland rail line between Bairnsdale and Orbost, were closed. It was in the mid-1980s that the Cain government closed that rail service. I am reminded of that every time I have the opportunity to walk the rail trail between Bairnsdale and Orbost, which I do regularly, because of course the only way you can utilise that rail corridor now is by either cycling or walking. Mr Viney should not be too excited about pointing out the reality of the changes that have occurred to the rail network in Victoria over the last century or so because the reality is that many rail services have been altered in terms of their priority.

I am sure that Mr Viney will be embarrassed to be reminded that in fact it was a previous Labor government which terminated the rail service between Bairnsdale and Orbost. I do not want to dwell on that. What I want to talk about is the present. There is no purpose served, in my view, in reminding members of this place of policy failures or indeed policy aspirations of previous governments.

The reality is that today we have a government which has been in office for a decade. We need to look to what this government has provided in terms of service. We know that over the last decade the management of public transport in Victoria has been an unmitigated failure. I touched on some of those aspects earlier, but I particularly want to remind members that it is evident that there are currently problems with infrastructure, rolling stock and services and that there has been a failure to carry out works to maintain and improve the rail network, which has posed a major difficulty for maintaining the service.

We have the current debacle around the myki ticketing system, which is looking more and more unworkable. No matter how much money the government throws at myki, it is not delivering the expected benefit to the community. It becomes a question of when enough is enough — —

Mr Koch interjected.

Mr P. DAVIS — As my colleague Mr Koch just interjected, we are surely past that point.

It seems to me it is useful and instructive to examine the introduction of the ticketing system for country travellers — that is, how is myki going to work for country passengers? Only last weekend a senior Victorian who lives in my electorate asked me that exact question: how will this affect her obtaining access to public transport? I have done some investigation. I have looked at journal articles and government websites. Frankly I have no idea how to advise my constituent about how she, as a country traveller, will be able to use myki on V/Line services. It seems that the attempt to rush the introduction of myki to comply with the deadline the government gave itself of the end of 2009 and which, in a metropolitan sense, was extended to take in V/Line stations in metropolitan zone 2, which only includes Pakenham on the Gippsland line, has led to some confusion. When people were told there would be a myki system operating across the V/Line network later this year, country travellers became a little confused and concerned about how they would access myki.

There has been nothing more said about how V/Line passengers will be able to use myki. Some of the issues that have been raised with me regarding this matter include: if and when myki is introduced on V/Line, how do passengers arrange for advanced bookings; how will they pay for their advanced bookings and reserved seats; will people who travel infrequently have to buy a myki card — this particularly applies to many country travellers who may travel on a V/Line service to Melbourne for a medical appointment only once a year; what are the options in relation to accessing V/Line services with a myki card; and will there be a day pass equivalent available as there is, for example, for country motorists who may only occasionally travel on CityLink? These are legitimate questions which, I have to say, I do not think the government has made any attempt to address. Later in the debate I will be interested to hear responses from the Minister for Public Transport to those sorts of questions.

It is important to recognise, notwithstanding the government's schedule for the rollout of myki being focused on the urban environment for the moment, that the anticipation of having arrangements disturbed in the country is having a bearing on the way that country travellers are planning, or are unable to plan, their future transport needs. The question for the minister to respond to is: how will country travellers deal with the sudden appearance of the myki system on country railway station platforms?

I would like to touch briefly on the condition of the regional rail network. It is pretty clear from the Auditor-General's report last year on the government's buyback of the regional rail network, which highlighted the shortfall regarding the maintenance of country lines, that this poses a major risk to future rail services linking centres beyond the reach of the regional fast rail services — that is, while acknowledging the budget blow-out for regional fast rail from \$80 million to \$1 billion there was a significant investment in those four lines. But in eastern Victoria particularly there is an issue because the fast rail line stops in the Latrobe Valley. On the Gippsland line there are the large centres of Sale and Bairnsdale which are serviced by V/Line trains. We have experienced problems on the Gippsland line in regard to the reliability of services, especially at times like the current warm spell and when trains have to slow down because of hot weather. The cause is simply a lack of track maintenance.

The buyback of the regional network from the private operator, Pacific National, in 2007 transformed V/Line into a much more substantial public transport and freight operator. It runs more than 1400 trains and 600 coach services a week and has responsibility for

3770 kilometres of broad gauge rail track used by both passenger and rail freight services.

Since the buyback the deterioration of the country rail track infrastructure has become more plainly evident. It applies on the Gippsland line particularly. The section beyond Traralgon, which apparently Mr Viney does not know, is part of Mr Viney's electorate. Unless there is an expansion of the maintenance program, we will face the situation in a few years where this line is not able to cope with passenger or freight traffic. The answer would be that passenger services would need to be cut or trains would need to operate at much lower speeds, which would obviously be inconvenient for travellers and a complete contradiction of the vast investment that the government has made in the fast rail network over the last decade.

We have this conundrum where the government announces a policy, invests large amounts of money far beyond initial budgets to deliver it and then finds that the performance of this policy is inadequate. I think it is pretty clear that we had a taste of this in one event I will allude to from the first half of 2008, when signalling faults in the metropolitan section of the line to Pakenham forced lengthy delays to Gippsland services. It was an horrendous period, and I well recall the number of complaints I received and the personal anecdotes related to me by people I know — acquaintances or people who wanted to get it off their chest with one of the local members.

Gippsland line trains already have to observe speed restrictions in hot weather, which was the case on 49 days last summer. To put it in perspective, that is about the same number of days this Parliament sits each year. There were speed restrictions on 49 days last summer as a result of hot weather because of a lack of rail line maintenance. I think that is an issue that the Minister for Public Transport needs to address, and he needs to address it pretty quickly.

The laying of concrete sleepers as a means of upgrading the track and alleviating problems will begin this year, and on the Gippsland line it is scheduled only as far as Traralgon. I have to say that I am a bit perplexed as to why this was not done as part of the fast rail infrastructure upgrade, but in any event it was not.

V/Line's program to upgrade the lines will concentrate at first on the four regional fast rail lines to Traralgon, Geelong, Ballarat and Bendigo. It will be the best part of a decade before the old wooden sleepers on lengthy stretches of line beyond the fast rail services are replaced. This is clearly not good enough. This was identified in the Auditor-General's report in which he

firmly established that not enough rail track maintenance has been done or is planned to be done. The Auditor-General found a maintenance backlog amounting to more than \$200 million. I repeat: a maintenance backlog amounting to more than \$200 million. He also found that subsequent to the buyback the V/Line business plan indicated that the government was not providing enough maintenance funding to sustain the regional rail network.

I have heard the rhetoric from members of the government on the other side of the house when they have been talking about the Kennett government, but it does seem to me that after more than a decade in office the members of the government party and the cabinet should accept that they have had a fair crack. They have had \$300 billion of revenue to do something about providing basic services to the communities of Victoria. Have they? Quite clearly the judgement of the travelling public in Victoria — the 8 per cent of Victorians who regularly use public transport — is they are totally inadequate. There is an overwhelming view in the public domain of travellers that it has been a poor use of public money in terms of maintaining the rail and public transport network.

In the immediate future Victorians will have to grapple with the farcical introduction of a ticketing system that is beset by problems and mired in confusion. However, I think in the longer term the government's failure to maintain the rail network poses real risks to the operation of country services. By that I mean, as I alluded to in my broader comments, a risk that certain services will simply cease to operate. This will result not only in continuing inconvenience but will serve as a deterrent to economic activity and development in country centres more distant than the major regional cities.

In closing, my view is that the new Minister for Public Transport has a very large challenge in front of him. He needs to explain his policy view to this house, but more importantly he needs to express to the house some notion that he has confidence that he can rehabilitate public confidence in public transport because at the present time the overwhelming view of the public is that the government has failed. There are service failure deliveries in hot weather, there are reductions in train speeds on country lines during hot weather and there are repeated failures of public transport to meet schedules.

I know from the personal experience of friends and family the difficulty of being able to rely on the public transport network to meet commitments. Everybody who travels, certainly on the Gippsland line, has to have

by default a fallback position in the event that the train on which they have been booked does not set off on time or is delayed en route because, to put it simply, there is no sense of confidence in the reliability of the service. Therefore I would urge the Minister for Public Transport, in responding to the motion before the house, to give a full and complete explanation about what it is he proposes to do to restore that confidence, which is singularly lacking because of the failure of the Bracks and Brumby governments to deliver an adequate public transport system.

Mr D. DAVIS (Southern Metropolitan) — I am pleased to rise to support this motion moved by Mr Koch. It is an important motion. It is a motion that lays out in a very clear way the position with respect to public transport in this state. It is an outrage that public transport is in the chaos and disaster that it is at the moment. The community is very angry about it, and there can be no doubt that the former Minister for Public Transport, Ms Kosky, and the Minister for Transport before her, Mr Batchelor, now the Minister for Energy and Resources, have a lot to answer for. But so does the Premier. He sat on the expenditure review committee through all of these processes as these projects the government tried to put in place failed. He ticked off on the myki fiasco, and he must accept a significant share of the responsibility first as Treasurer and later as Premier.

It is all very well, as we have heard in this debate, to take a number of trips down memory lane. I think we have gone back as far as the 1970s and 1960s in some of the discussion, and the debate has veered into other states. But the reality is that this government has been in power for more than 10 years. It is in its 11th year. Government members cannot continue to push back and say, 'It is the fault of this government or that government'. The Labor Party has been in power in this state for most of the last three decades: it came into power in 1982 and it was in power all through the 1980s. Barring seven years in the 1990s this government has been in power for most of the last three decades and government members have to accept responsibility.

This government specifically — the Brumby government — has to accept responsibility for the failures in our public transport system. Mr Koch's motion lays out very clearly a number of the key faults with the system. The myki system is well known and well understood to be a fiasco. People talked about England, and we heard a number of members ask why can we not have a system like that in England. Then we heard somebody say earlier on that it took nine years to put in place the ticketing system that is in operation in

London. This government has had more than nine years; it is in its 11th year. The government cannot keep blaming others; it has to accept responsibility.

This motion, as I see it and as Mr Koch has framed it, is about this new minister getting off on the right foot and as the responsible minister accepting responsibility for fixing the system and laying out a plan — a set of proposals — outlining how he will fix this system. I have to say that the points about braking made in the motion are absolutely correct. There are huge problems with the braking system on the Siemens trains, as we know. We know that there are problems with maintenance. But goodness me, in its 11th year the government is blaming previous governments. The Labor government has been in power for most of the last 30 years and yet it is blaming previous governments. Give us a break!

This motion very sensibly looks at reliability and at country lines and makes some serious points about the reliability of country rail services. I do not propose to go over the detail of the motion and the contributions that have been made by Mr Koch and others, but those points are extremely well made. Then there are issues with air conditioning. The list of the failings of this government goes on and on, including the failure to run a basic rail service.

Yesterday in this chamber we heard the minister say in response to one of his very early questions as minister that this was a solid network. I think many commuters would beg to differ. They would argue that this network has not been a solid network and that the government has run it down. The minister can blame the previous government, blame governments of the 1970s or blame governments of the 1960s, but this government has been in office now for more than 10 years; it is in its 11th year. The government must accept responsibility for these issues.

As far as areas of metropolitan Melbourne and country Victoria go, the Southern Metropolitan Region is well served by public transport, by buses, trains and trams. There are pockets which are not well served, but there is a significant public transport network. There are real issues about the reliability and robustness of the network. There are real issues with overcrowding. There are real issues with the air conditioning on the trains. I could go on. I want to say something about a number of these train lines.

The Belgrave-Lilydale line has a significant cancellation rate. The Sandringham line is one of the most cancelled lines in the metropolitan system. That line is down near Mr Pakula's home in Black Rock. It

heads down in that direction. It does not quite get to Black Rock, but it gets quite close to Mr Pakula's home. I daresay he will on occasion take a train on the Sandringham line into the city. The appalling record of cancellations of the Sandringham line and the appalling record of service delivery is something the community should be very concerned about.

When I started reviewing the statistical performance of the lines I discovered that under the new arrangements, with Metro Trains Melbourne, the new operator, the numbers of services are not reported in the way they were reported under Connex. I understand there has been a change in reporting arrangements under the contracts the government has signed with the new franchisees. There is a diminution in the level of reporting and the detail of reporting. Now the reporting consists of only a percentage of services delivered; Metro will not be providing the number of services that are delivered, which would enable us to calculate simply the number of services that have been cancelled. There has been a wind back in reporting, which is a significant omission in the government's contractual arrangements with the operator. I intend to pursue this in this chamber with Minister Pakula and find out why in this recent period his government signed new franchise agreements with operators and watered down the reporting requirements of those operators so that it is more difficult to hold to account the operators, who are after all acting on behalf of the government in delivering services to the community.

The Alamein line is another line that is of great significance to areas of the electorate that I know well, and particularly the Burwood electorate. I put the minister on notice that he should pay attention to the regular cancellations of services on the Alamein line and the fact that that is the line that is first hit when there is a shortage of rolling stock. The trains are pulled off that line and rescheduled somewhere else. The failure of this government to plan for population growth, to plan for proper and reliable servicing, is directly striking at those people in and around the Burwood electorate who catch trains on the Alamein line.

Mr Stensholt, the member for Burwood in the other place, has been as quiet as a church mouse about this. You cannot get a squeak or a peep out of him. He is slavishly following the Premier. He ought to stand up to the Premier and he ought to collar the new Minister for Public Transport and demand change on that line. He should demand that its services not be cancelled. There is no doubt that this is a line that transport bureaucrats have sought in the past to wind back, and some have even sought to cancel it. I can only be very concerned

when I see that whenever there is a winding back of services because of a lack of rolling stock it is the Alamein line that is hit, and on every occasion, without exception, when that has occurred Mr Stensholt has been silent.

The Mount Waverley line faces difficulties too. We have seen cancellations in this recent period.

Hon. M. P. Pakula — The Glen Waverley line.

Mr D. DAVIS — The Glen Waverley line — I stand corrected. The Glen Waverley line is an important line that faces particular challenges with level crossings, and I accept that point. That is a longer term challenge for our system, but it is a challenge that has not been taken up by this government because it still bedevils that line. I make the point that there were cancellations along that line quite recently.

Let me report an incident that occurred on that line just a couple of weeks ago; indeed within the period that Mr Pakula has been the Minister for Public Transport. I do not directly hold Minister Pakula responsible for this because it would have been in the first couple of days of his appointment as Minister for Public Transport, and I think it would be unreasonable to expect him to have been on top of the detail of these things that quickly.

The Glen Waverley line faced a problem with the overhead wires. Metro was unable to locate the problem and, as I understand it, officials from the department were walking the line to discover where along the line the particular problems had occurred. That became a manual task of people literally walking distances to establish where problems had occurred and to restore the service eventually. This occurred in peak hour, so tens of thousands of people were impacted.

My point in raising this example is to say that the reliability of the network is very important and the minister ought to attend to these issues of reliability and predictability in timetabling and make sure that people can rely on trains turning up on time so that trains are delivering in the way they should. There is no evidence his predecessors were focused on these matters, but it is my hope that he will indeed begin to focus on some of the key points.

The capacity of the network is a real issue from Caulfield out, and I know the minister knows these points. I am not telling him anything he does not know, but these issues need to be dealt with. I notice the wind back in the government's long-term plans for expansion of the number of lines out from Caulfield, and I think there are issues there. I am not advocating a solution

here. I am just putting on the record that there are real issues in that respect.

A similar position applies to the Frankston line, and I catch that line semiregularly to Bentleigh to attend particular functions and to go to other points in Bentleigh. In its current form that line simply does not have the capacity to deal with what is required. The number of trains and the crowding on them is extreme, and the minister is going to have to deal with some of these issues. I make the point that after more than 10 years in office this government should have been thinking about these points. The government has had a plan to increase the population of Melbourne. Melbourne 2030 is a plan to lift the population by 1 million by 2030. Those estimates were totally wrong in 2002, and everyone knew that. Anyone with any sanity knew they were wrong then. The current plan, Melbourne @ 5 Million, does not appear to grapple with the need to deal with these public transport issues.

The government says it has a grand transport plan. Let me tell members about the way it has come about. The government has done its polling and it has discovered that the community thinks this whole thing is ramshackle and that the government has no idea what it is doing. The government has developed a plan; and, as we hear again and again, it is a \$38 billion plan. Only \$8 billion of it is funded and the rest is out on the never-never. It is out on the tick, out in the land of prayer and hope. The federal government is now saying it is not necessarily going to fund a lot of these sorts of proposals at a state level. The state government did get some money last year but the overwhelming bulk of the so-called plan is totally unfunded. It is in fact simply a wish list, although to be fair it is a little bit more than a wish list. It is a wish list backed up by a large, multimillion-dollar glossy advertising campaign that is designed to massage and soften up voters — —

Mr Vogels — Hoodwink.

Mr D. DAVIS — 'Hoodwink' is the word. It is to make them think that in fact something of substance is being delivered when the truth is that most of the plan has not been delivered. The expansion of the network that should have occurred over the last decade has not occurred. The planning on the edge of the city as the government moves to widen the city further has not occurred either. The government has gone forward blithely allowing the expansion to go on without backing it with these services, and in this case public transport services are such a critical part of guaranteeing the sustainability and accessibility of these new suburbs on the fringe of the city.

I congratulate Mr Koch for bringing on this motion. I will listen with interest to the minister's response. I know the motion has been brought by Mr Koch in a genuine way to ensure the minister is provided with an opportunity to lay out a detailed plan as to how he will fix the problems, and goodness knows his two predecessors were not able to fix them. Indeed I will be interested to hear how he is going to tackle the Premier and the Treasurer, and how he is going to wrestle them into a focus on these transport issues so they can be dealt with because they are very important for Melbourne's future. They are important for the city's livability and they are important for the style of city that I and most Victorians want to see, and that includes those well beyond the fringes of Melbourne. When people come from the country they want to be able to move around in the city as well. I do not propose to go through country services because Mr Koch has done that in great detail and with aplomb. I congratulate Mr Koch on the motion, and I look forward to the support of the chamber. I now look forward to listening to the minister's rendition.

Hon. M. P. PAKULA (Minister for Public Transport) — 'Rendition' may be an unfortunate choice of word given some of its more recent connotations. I do not want to pop Mr Davis's little bubble or disillusion him at all, but I should make the point that it is not customary for governments, government departments or indeed for ministers to lay out plans for their portfolios in response to motions moved during opposition business in the Parliament. Governments lay out their plans at a time of their own choosing —

Mr D. Davis — That is what the Parliament is for — scrutiny.

Hon. M. P. PAKULA — There is question time, and I suspect that many of the questions which make up the bulk of Mr Koch's motion have already been asked in question time and I expect to be grilled about many of the others in the house continually over the course of the next few months, so there will be plenty of opportunity for scrutiny.

In terms of laying out a plan, I advise the house that a plan has been laid out by the government in regard to the future of public transport. As Mr Davis alluded to earlier, it is the Victorian transport plan. Mr Davis made some comments about its funding and said that only \$8 billion of the \$38 billion has been funded. The reality is that even at that level in the time frame that the funding exists for, it is more money to be allocated to public transport than has ever been allocated before. Of course everyone knows you are not going to outlay \$38 billion of public transport infrastructure investment

in a single year or even in a forward estimates period. Having said that, Mr Davis's point is taken, but it remains that even that which is funded now is the biggest investment in transport infrastructure in the state's history.

I will respond to the motion, I will deal with some of the points raised by Mr Koch and I will deal with his preamble as well, but it is not my intention to do it in great detail. As I said, there will be plenty of opportunity for the opposition to question me in this place and in the public domain about matters contained in Mr Koch's motion and indeed in regard to other motions.

I want to deal first with Mr Koch's preamble and the use of the terms 'outrage' and 'failure' as well as the sorts of terms used by Mr Davis. He used the terms 'outrage', 'chaos', 'disaster' and 'fiasco'. Other members have spoken about a shambles and all that sort of stuff in terms of describing our public transport network. I think all members have commenced their address by wishing me well and expressing the view that they hope I succeed in resolving the problems in the system, but they then seek to demean, criticise and shatter the confidence of the travelling public in the public transport system by describing the network in the way they do. They have said it is in chaos, is in a shambles, is a disgrace and is a disaster. I know I have made the point before but I make it now for the record: it is a characterisation of the system that I simply reject.

It was not my view before I was the public transport minister, and it is not my view now after two weeks as public transport minister, that the system is perfect, that it is the best in the world, that it is without fault and that it cannot be made better. I accept it can be made better, I accept it has its flaws and I accept it is a source of frustration for commuters from time to time. But let us not forget that this is a network that over the course of a year handles something like 500 million discrete trips on train, tram, bus and regional services. When you consider that the network makes the vast majority of those 500 million discrete trips reliably and comfortably, that the vast majority of those trips are punctual — they are not cancelled services; they arrive on time — to come into this house or go out into the public domain, as Mr Davis has done and as the member for Polwarth in the Assembly, Mr Mulder, does consistently, and describe the system as a chaotic, shambolic, disastrous mess is unreasonable, unfair and a totally inaccurate characterisation of the system.

I now turn my mind to what evidence the opposition provides as a basis for its claim that a system which has half a billion discrete boardings each year somehow

does not work at all. The sort of things that have come up in this debate include the suggestion that the network is overcrowded. Yes, sometimes it is overcrowded. Some peak hour services are very overcrowded, and we need to do more to reduce overcrowding levels on some services at some times.

Mr D. Davis — The Frankston line is appalling.

Hon. M. P. PAKULA — I was on the Frankston line this morning; I caught the train from Cheltenham. At Cheltenham, as I recall, everyone in my carriage who wanted a seat got a seat. That is a train that began at Frankston. By Bentleigh it was getting pretty crowded and by Caulfield a bit more, but — —

Mr Atkinson — So you got up and surrendered your seat to someone?

Hon. M. P. PAKULA — I have done that, but that was not the case this morning. Let me make the point that if the test of whether a public transport service is a shambles, chaotic and not working is that it is crowded in peak hour — —

Mr D. Davis — It is Japanese or Thai-style compression. That is what it is on that service sometimes.

Hon. M. P. PAKULA — No, it just is not. If the test of whether a peak hour service in a major city is a shambles, as Mr Davis puts it, is that it is crowded at peak hour, then there is barely a system in the world that would jump that hurdle. London has a fantastic system and Hong Kong has a fantastic system, but in peak hour they get pretty crowded. That is not to say that we should not do more to reduce overcrowding, we should.

Ms Lovell — There are a lot more people there.

Hon. M. P. PAKULA — Absolutely, and Mr Kavanagh went to this during his contribution. If you have a large number of people concentrated in a very small area, as is the case in Singapore and Hong Kong, that provides you with greatly expanded options for public transport because you have much greater scale and efficiency. Our system is not like London's or Singapore's — and for reasons other than scale. One of the great things about the system in London is that every train line is in a discrete loop. The train that goes around a particular tube line does not interact with any other trains, roads or trams. It would have been great if in the 19th century rather than getting the Hoddle grid, which has served our city well, we had got an underground tube system like they did in London and in other parts of the world. That would have been

fantastic, but we did not. That means that our network does not function in the same way. We have train lines that intersect with other train lines, we have train lines that intersect with roads and we have train lines that intersect with tram lines — not many, about four or five. That means that the infrastructure upgrades to the network that are required are always very costly and time consuming and they always cause disruption. That disruption is often viewed as darkly by some members of the public as the problem that you are trying to rectify. Our system grew up in a different way to some of the other systems around the world.

Some of the evidence for the claim that the system is a complete and utter shambles is that sometimes machines do not work. Yes, sometimes machines on platforms do not work. They need to be repaired when they do not work. Machines break down. Overhead powerlines sag in the heat. Systems struggle in extreme weather conditions. We are never going to completely eliminate the fact that some electronic equipment, cables and track behave differently in extremes of weather. We have to minimise the disruption and the circumstances in which that suffering occurs, and we have to reduce the impact on the travelling public.

But, ultimately, to say that a system can only be described as other than a shambles if you never have a heat-related delay, a machinery breakdown or an equipment failure does not set a realistic standard. A realistic standard to set is one in which disruption is minimised; where faults, when they occur, are rectified quickly; where you have an operator that understands the problems, gets out there and does all the preventive maintenance it can reasonably do; and where disruption to the travelling public is minimised.

Ultimately, however, the factor that gives the lie to this claim that the system is a total shambles is patronage. If the system were as bad as Mr Davis and numerous other opposition speakers have tried to make out, we would not have seen what we have seen, which is an effective doubling of patronage over a relatively short period of time. I do not say that to somehow claim that the patronage increase is of itself a ringing endorsement of the transport network. I understand that the patronage increase has occurred for a range of reasons — because more people work in the central business district, because fuel prices have gone up, because the population has grown, and because people have more environmental consciousness today than they might have had 20, 30 or 40 years ago.

Mr Koch — Traffic congestion.

Hon. M. P. PAKULA — Indeed, Mr Koch. More people, more cars, more congestion — which is why you need to have an integrated transport solution that looks at road and rail. This is an argument I have had from time to time with certain of my colleagues from the Greens at various meetings in the western suburbs.

All of those things play a role in increasing patronage on the network, but the undeniable fact is if the network were as shocking as Mr Davis suggests it is, none of those factors would matter. People would not use it. We would not have seen the massive increase in patronage that we have seen if the network were as shoddy as Mr Davis and other members of the opposition suggest.

Ms Pennicuik interjected.

Hon. M. P. PAKULA — I will concede to Ms Pennicuik that a number of people use the public transport network because they feel it is their only option. But let me say this: a lot of people who travel on the public transport system do have a choice. In fact I would say the majority of people who travel on public transport use it because they choose to use it, because in their minds, despite its flaws and despite the fact that it is not as great as they would like it to be, they do not believe that this is the horrible, shocking, chaotic shambles that Mr Davis claims it to be.

Those are my initial comments. I will spend a couple of minutes dealing with the issues raised by Mr Koch. I do not intend to give long-winded answers because I have no doubt that Mr Koch, Mr Davis, Mr Atkinson, Mr Dalla-Riva, Mr Vogels and many other people in this place will ask me about these things on numerous occasions, and I will deal with them.

In regard to myki I need only repeat the comments I made yesterday. Myki is a source of frustration for me, for the government, for the Premier, as he indicated yesterday, and for those consumers of the system who would like to be using it on all modes of transport. I have been using it for the past two days on the trains, and my experience has been a happy one. I have used it, and it has worked perfectly. I accept there are others for whom it has not. In fact I met a gentleman on the Sandringham line yesterday for whom it did not work as well. I asked him for details. He did not know why I was asking him until he realised who I was, and then he was happy to give them to me.

It is a source of some frustration, but the most counterproductive thing I could do would be, for the sake of disposing of a political issue, to simply come in here and say, 'This will happen by this date, and that is when it will all roll out'.

The reality is we have an IT issue. There is no single IT issue, but a number of them. Engineers from Switzerland and others contracted by Kamco are out here at the moment trying to get to the bottom of the issues to improve the functionality on trams and buses but also to improve the functionality for the people who currently have myki cards and are having back office issues. Those engineers are isolating the issues one by one, and when they have isolated the problem they are proposing and implementing solutions. By its very nature that process does not allow me or anybody else to say, 'They will find this answer on this date'.

It is important for the Transport Ticketing Authority and Kamco to understand that I as minister have an expectation that they will work around the clock to resolve those issues and to implement the solutions as quickly as they possibly can. I can say that no-one in the TTA or Kamco, right up to the global vice-president whom I met last week, is under any illusions about my expectations in that regard.

It is also reasonable for the travelling public and for me as minister to expect that as any IT problems emerge in the future — whether it be that a battery in a unit fails or that someone vandalises a top-up machine or any other kind of problem emerges — they will be dealt with and rectified at the earliest possible moment.

Myki is not a small change. To move to a smartcard was a bold, important move, because it is the future of public transport ticketing. Smartcards can do a whole range of things. People do not need to carry large amounts of cash to use them. They do not need to decide what ticket to buy or to calculate what sort of fare they need because the card does it for them. It is a durable, reusable card, so it is an investment in the future. It has had a troubled birth — we do understand that. I advise Mr Koch and others that my expectation is that all of the IT specialists — and I do not pretend to be one — all of the software engineers and other engineers who are working on ironing out the kinks will do so and work on nothing else until they have rectified these problems and the system is up and running and working as flawlessly as possible, and they will do that as quickly as they can. I cannot be more specific about time.

I refer to the braking problems with the Siemens trains. I was on the Jon Faine show last week, and I somewhat loosely used the term 'tickety-boo' to say I hoped all of this would be 'tickety-boo' on the day I walked in. Any new minister in any new portfolio would love to walk in and have the departmental secretary say, 'There are no problems, Minister. Off you go'. That is not the real

world, and that is not how it has been so far with this issue.

The previous operator, Connex, believed and expected that it had resolved this issue. It took an approach which was fundamentally an attack on the problem on the train as they saw it. It was about the brakes and the software that ran the braking system. That did make an improvement. The problem was less severe after those changes had been made than it had been before, but clearly in a couple of locations — Ormond and Springvale in particular — these problems have re-emerged over recent months.

The fact that these problems have been more acute at various locations has caused Metro Trains Melbourne to take the view that in all likelihood, in addition to the treatment of the brakes and the software, a treatment needs to be applied to the track. I have had numerous conversations with Andrew Lezala from MTM. He has global experience in this area, and he has indicated to me that the problem of slide by is not unique; the problem has been encountered in the United States of America, in the United Kingdom and in other locations as well, and it is a problem where the product sandite has made a difference in the past. The company is now in possession of a reasonably large quantity of sandite, which will be applied to the tracks in various locations for testing in the immediate future.

On the subject of the trains themselves I think members would appreciate that when an incident occurs it is appropriate for an individual train to be taken out of service until it has undergone both wet and dry testing. It is worth noting that with these incidents — I do not want to be too exact because my history of this is not 100 per cent clear — the vast preponderance, if not all, of the incidents where this problem has occurred have been in circumstances of light drizzle. It is under these sorts of conditions that this problem seems to occur most readily, so when these trains suffer one of these incidents it is appropriate that they are taken out of service and undergo wet and dry testing in accordance with agreed protocols. It is also appropriate that the process of conducting those tests is signed off by the independent regulator, Public Transport Safety Victoria. Once those tests have been conducted in accordance with the standards set by MTM and the standards expected by Public Transport Safety Victoria (PTSV), then it is appropriate for those trains to return to service.

In order that the public can be assured that these matters are being treated with an abundance of caution it is worth noting that speed restrictions are being put in place for these trains at certain locations where there is

a level crossing or a pedestrian crossing within a designated distance of the platform. These processes are an ordinary part of returning these trains to service. A number of the trains that have been taken out of service have undergone testing recently under the auspices of MTM and PTSV, and it is my expectation that they will be returned to service very soon.

Regarding paragraph (b) of Mr Koch's motion, MTM is taking a whole-of-system approach by looking at the train, looking at the software, looking at the brakes, conducting the testing and treating the tracks. It may be an overused term, but MTM is trying to find a holistic solution to this issue.

A good point has been made on the subject of maintenance. I do not want to reflect poorly on the previous operator, but I indicate to the house that, as the new operator from November last year, MTM has undertaken what I would describe as a ramped-up maintenance regime. MTM is taking water to mobile track gangs, particularly at times of extreme heat, to water the tracks to try and reduce the incidence of track buckling. On 11 January, a recent day when temperatures were more than 40 degrees Celsius, the incidence of track buckling as a result of those treatments was almost zero.

MTM is also undertaking a continual process of overhead cable re-tensioning, because cabling sag is a problem in times of extreme heat. On 11 January there was only one incident of overhead sag. Unfortunately it occurred near North Melbourne depot, and it meant that a number of trains were locked in for that day. Mr Koch is right; overhead cabling re-tensioning is extremely important. I am pleased to note that from all the indications given to me MTM understands that implicitly and has applied a rigorous maintenance regime regarding those matters.

In the area of signalling I make the point that Metrol's replacement is due to come into service by the end of this year. The new service will improve the signalling system and will provide greater reliability.

Mr Koch raised the issue of air conditioning in paragraph (d) of his motion, so I will come to that in a moment.

Obviously the headline figure on 11 January gave the impression that there had effectively been no change from the hot days — the days of 40-plus degrees Celsius — in January and February last year. If you drill down into the figures a bit more you will see the performance was substantially better. The total number of cancellations was about the same, the number of

cancellations in the p.m. peak was significantly down, the punctuality of the trains that did run was significantly up and the number of trains available was about 10 more than on a comparable day the previous year. This problem of heat-related stress on the network is significant. MTM understands that my expectation is that MTM should do everything it can to minimise disruption to the public on those days.

I should also add that under the new contract with MTM additional funding in the order of \$500 million for the operator for maintenance work is included in that contract. Maintenance is absolutely important. It is being treated seriously by the operator, and it will be treated extremely seriously by me.

I refer to paragraph (d) of Mr Koch's motion:

... what steps will be taken to examine and explain the chronic metropolitan and country rail unpunctuality, unreliability, overcrowding and faulty train air conditioning and when will credible steps to deal with each of those problems be taken by the Brumby government ...

The simple response is to say the Victorian transport plan. Firstly, let me deal with the issue of air conditioning. An issue that has been ventilated is that of the air conditioning systems on Comeng trains. Air conditioning units on those trains have struggled the most on days where temperatures exceed 40 degrees Celsius. There is — —

Mr Koch interjected.

Hon. M. P. PAKULA — We have had some warm weather this week and the network has coped pretty well. It is right to say that a number of air conditioning units have suffered in the heat, and my response to Mr Koch is that that issue is well understood. As a trial the operator has refurbished a dozen Comeng air conditioners to see how they cope in the heat, and they all coped perfectly on 11 January. There will now be a very large program of air conditioner maintenance and refurbishment. In the modern day environment air conditioners need to be working properly, both for the comfort of drivers and passengers, on days of extreme heat.

Having said that, when you look at the initiatives in the Victorian transport plan, they are designed to improve services, improve reliability, improve punctuality, reduce cancellations and reduce delays. We propose to do that through the plan in a whole range of ways and in an integrated way. These things often get overlooked but, as previous speakers have indicated, in relation to moving car traffic around more efficiently, we can do that in a range of ways by implementing grade separations and clearway rules, and that has a knock-on

effect for the public transport network, not just for the buses.

Mrs Peulich — Yes. It should be under the one transport minister.

Hon. M. P. PAKULA — Mrs Peulich seems to presume that in a department — an integrated department with two ministers — that somehow a minister for roads and a Minister for Public Transport do not speak to one another or do not collaborate. The whole point of the Victorian transport plan and the evidence provided by the Victorian transport plan is that previous ministers did work together to provide an integrated plan for tram, train, bus and car. That is what the Victorian transport plan is evidence of.

Mr Koch interjected.

Hon. M. P. PAKULA — We have been through this, and I am not going to overdo it, Mr Koch.

Whether it is new trains, new trams, new track or new stabling facilities at places such as Westall, as was talked about today, or places like Laverton, all of these things add capacity to the network. There are more maintenance dollars, better roads and more grade separations, and all of these elements of the Victorian transport plan are about delivering more reliability, more punctuality and more capacity. But they will not happen overnight.

What you will see, and what you in fact have seen, is the system improving progressively. It needs to improve progressively because more and more people are using it. This is one of the points opposition members fail to appreciate when they say, 'You have had 10 years, so it should be done'. In other words, unless you've already — —

Mrs Peulich — It isn't an unreasonable argument.

Hon. M. P. PAKULA — Mrs Peulich, the implication of that is that unless you have already done everything, you have failed. The reality is the job is never finished, because public transport patronage continues to grow, more people want to use it, the network always needs to be improved, maintenance always needs to occur, you will always be buying new trains, you will always be laying new track and you will always be sending the network out to new places as suburbs grow. The job is never done, and anybody who thinks it can be, anybody who thinks the fact that there are things still to be done is evidence of failure, does not understand the way the public transport network is growing in this state.

The public transport network will continue to grow and continue to be invested in, by this government at least, because it has to continue to cater for population growth, the movement of the urban growth boundary and the fact that people want to live on large blocks and expect that infrastructure and those networks to exist, whether it is trains, trams or buses, in the communities they live in.

I turn finally to paragraph (e) in Mr Koch's motion. I will try not to be snide. However, the easiest way to avoid cancellations and lack of punctuality on regional services is not to have them. That is the easiest way to avoid those things. Mr Koch will note I have assiduously avoided talking about the period from 1992 to 1999, because I do not think that is what members expect to hear from me. However, that is what the Kennett government did. The way you avoid having problems with punctuality in regional rail is you just shut the services down.

It is easy to focus on punctuality issues and much more difficult for Mr Koch and his colleagues to focus on the fact that we reopened the lines to Bairnsdale and Ararat and are reopening the Maryborough station. We had to buy back the regional track from Pacific National in 2007 because the previous government entered into contracts which did not place any maintenance obligations on that firm whatsoever. We had to buy it back to restore the quality of the track in 2007. We had a huge upgrade of regional railway lines in 2005–06, we put in additional services in September 2006 and there was a 20 per cent fare reduction in March 2007. In this system that Mr Koch says is so terrible, so unreliable, we had an 81 per cent growth in patronage from 2004–05 to 2008–09 and 10 per cent growth last year alone.

Mr Koch talked about investment. Twenty-one V/Locity carriages have already been delivered, 33 more are in the current order alone, there are 20 more to come through the Victorian transport plan and there is the north-east rail revitalisation project — new track all the way to Wodonga. Once that is finished there will be five round trips between Melbourne and Wodonga every day. There will be the reinstatement of train services to Maryborough.

Mr Koch interjected.

Hon. M. P. PAKULA — I just make the point, Mr Koch, that when we read your motion about regional fast rail we see that it contains no acknowledgement of all of the services that have been restored and all of the investment that is occurring in regional rail, whether that be in track or in carriages. It

is not just the investment that has occurred but the investment that is going to keep occurring as part of the Victorian transport plan and the benefits that will accrue, for instance, to those travelling in from Geelong when the regional rail link is completed.

An honourable member — When?

Hon. M. P. PAKULA — When the regional rail link is completed!

Mr Koch — No time frame!

Hon. M. P. PAKULA — Well, Mr Koch, there is detailed planning — —

Mrs Peulich — Give us a date. Be courageous. Be bold.

Hon. M. P. PAKULA — Mrs Peulich, a significant investment has occurred already. Services have returned. More services are returning this year alone — —

Mrs Peulich — You are a good spinmeister.

Hon. M. P. PAKULA — Mrs Peulich, I honestly do not think that is my reputation — as a spinmeister. I have spent the last 35 minutes giving what I think is a fairly matter of fact and frank response to this motion. The fact is that in regard to paragraph (e) Mr Koch's point is made, but there has been significant investment and improvement in regional rail and significant growth in patronage. Commuters in regional Victoria are voting with their feet and getting on these services that once did not exist.

I want to finish on the following note. I have heard a number of speakers wish me well today and indicate that they hope I will attack this task with passion, enthusiasm and dedication. The opposition has sought from me a number of undertakings and commitments in regard to specific dates and times and so on; as I have indicated, I am not in a position to provide opposition members with those undertakings or time lines, as you see. But what I am in a position to do is give the commitment that I will approach this task with enthusiasm, dedication and passion, and public transport will not have a stronger advocate than me.

Mr KOCH (Western Victoria) — I thank all those who have contributed to the debate today: 10 members of the opposition, 4 members of the government, Mr Barber for the Greens, and Mr Kavanagh for the Democratic Labor Party. The responses have been many and varied. I have noted everyone's response today. There is no doubt that opposition members, on

behalf of our communities and many user groups, have registered the many concerns, right across the board, about the public transport system. Regrettably, there has not been a clear indication that government members take the view that we have a public transport system that is in strife, underserved and not delivering what the public transport travelling community expects on an ongoing basis.

I am thankful that the minister was here in the house for the last half of the debate, but regrettably he was not here this morning when the debate started. Everyone will have confidence in what the minister indicated in his closing remarks. The time he will spend and the endeavours he will make are something that we all appreciate and certainly look forward to. Importantly, the minister has explained many of the current issues and shortfalls in the system. Regrettably the minister is unable to deliver information on anticipated time frames, which gives us some concern. There is too great a reliance on the new transport plan, which we know is not totally funded — far from it — but which, like every transport plan, will be put in place with the best intentions. We live in the knowledge that in the past many of those best intentions were not delivered on, and that is of major concern.

In closing, we wish the minister success in addressing the current shortfalls in our public transport system. As it stands, certainly I, and many colleagues who have made contributions in the house today, remain unconvinced and unfortunately probably fear more of the same. I would like to think I am wrong in saying that and I look forward to the opportunities that will be brought forward. Most of this now rests in the hands of the minister and we look forward to better outcomes during his handling of this portfolio than we have experienced from the minister's two predecessors.

House divided on motion:

Ayes, 19

Atkinson, Mr	Hartland, Ms
Barber, Mr (<i>Teller</i>)	Koch, Mr
Coote, Mrs	Kronberg, Mrs (<i>Teller</i>)
Dalla-Riva, Mr	Lovell, Ms
Davis, Mr D.	O'Donohue, Mr
Davis, Mr P.	Pennicuik, Ms
Drum, Mr	Petrovich, Mrs
Finn, Mr	Peulich, Mrs
Guy, Mr	Rich-Phillips, Mr
Hall, Mr	

Noes, 19

Broad, Ms	Pakula, Mr
Eideh, Mr (<i>Teller</i>)	Pulford, Ms
Elasmar, Mr	Scheffer, Mr
Huppert, Ms	Smith, Mr
Jennings, Mr	Somyurek, Mr

Kavanagh, Mr
Leane, Mr
Lenders, Mr
Madden, Mr
Mikakos, Ms

Tee, Mr (*Teller*)
Theophanous, Mr
Tierney, Ms
Viney, Mr

Pair

Darveniza, Ms

Vogels, Mr

Motion negatived.

LIQUOR LICENSING: REGIME

Ms LOVELL (Northern Victoria) — I move:

That this house —

- (1) notes the hardship caused to many social, sporting and community clubs, small licensed grocers and bottle shops, live music venues, smaller pubs, vigneron and other licensed venues as a consequence of the Brumby government's unfair liquor licensing regime;
- (2) notes the Brumby government's unfair liquor licensing regime directly threatens the future of Victoria's live music scene as demonstrated by the closure of iconic live music venue the Tote Hotel in Collingwood with the consequential loss of opportunities for musicians and the loss of jobs for full-time and part-time staff;
- (3) notes that uniform licensing conditions requiring security staff to be engaged at licensed venues featuring live or amplified music are making the performance of live music at some low-risk venues financially unviable with serious consequences for Victoria's music industry;
- (4) notes the unfair fee increases which have seen the liquor licence fee for a small grocer in Port Fairy increase from \$249 to \$6330 and the liquor licence fees for many small licensed grocers and bottle shops exceed those payable by large liquor supermarkets and many smaller, family-owned pubs with no adverse compliance history being required to pay fee increases of thousands of dollars;
- (5) notes the Brumby government's statement that despite increasing liquor licensing fees from \$15 million in 2009 to \$35.8 million in 2010 'The proposed risk-based renewal fees are not considered a burden on businesses';
- (6) condemns the Brumby government for its failure to implement a genuinely risk-based liquor licensing regime that provides for licensing fees and conditions appropriate to the venue and activity; and
- (7) calls on the Brumby government to immediately scrap its unfair liquor licensing regime in favour of a system that is both fair and genuinely risk based.

These new liquor licensing laws that have been brought in by this government are not risk based because every outlet has seen a huge rise in the base fees for their liquor licence, and that has particularly impacted on those that traded past 1.00 a.m. It impacted on them whether they were small country pubs, whether they

were large nightclubs in King Street, whether they were a restaurant playing live music or whether they were a licensed liquor store. It impacted on them whether they had a completely clean slate or a history of any incidents. This is not fair. It is not risk based. If it was truly risk based, it would be based around a history of incidents that had happened in those venues.

Far from being risk based, these fees have hit vulnerable sectors of the community indiscriminately. Small country pubs, mum and dad grocers and local tennis clubs are being asked to pay massive fee increases because John Brumby failed to clean up the King Street nightclubs. There is no doubt that these fees will cause some small businesses to close down, cause others to lay off staff and result in reduced sponsorship of community events by licensed venues.

Just the other day I was listening to 774 ABC radio. The morning program on 22 January had a session talking about liquor licensing, and that session highlighted just how ridiculous and how damaging these laws are. Penny, the proprietor of a bed and breakfast in St Kilda, called in. She told ABC radio that she had been raided at 10 minutes to 11 o'clock at night by inspectors to check whether she had the right signs up et cetera. She and her husband were in bed asleep when the inspectors arrived. It was a completely inappropriate time to arrive to raid and inspect a bed and breakfast. Penny has a liquor licence for one reason only — because she has a sherry decanter in the sitting room. It is hardly a risk-based venue, yet this is where the Brumby government's inspectors chose to go at 10 to 11 at night — to inspect a bed and breakfast. They did not go down to King Street, through the strip clubs — no, there they were getting small business operators out of bed at 10 to 11 at night to inspect their sherry decanter and their liquor licensing signage in their bed and breakfast in St Kilda.

The cottage industry wine producers had complained to ABC radio also because if they have a tent where they offer samples of their wine — and if anyone has been to one of these tents at a harvest picnic they will know that the samples are in tiny little almost medicine containers; they are hardly a place where we go to get rollicking drunk — their liquor licensing fees have been increased by four times the amount that they were last year. These are hardly risk-based venues, but these are small businesses paying the price for John Brumby failing to clean up the problems that exist in the King Street nightclubs.

They also had representatives from car rallies and community picnics who had told ABC radio that they now had conditions on their licences that required them

to have one security guard for every 100 patrons, and at around \$400 per security guard that cost soon mounts up. Not only that, their liquor licensing fees had increased, and this was going to put a severe burden onto the operators of community picnics and car rallies and could end with some of those events not happening in the future.

Suburban bowls clubs had also emailed ABC radio and complained that their licences had increased from \$250 to \$800 for the year. These were suburban bowls clubs — places where, after bowls, you might want to get a glass of beer or a sherry to enjoy with your friends after the game and hardly risk-based venues. They are not operating at 3 o'clock in the morning. They are not turfing drunks out onto the street who are abusive or causing antisocial behaviour and fights, but the suburban bowls clubs are paying because John Brumby has failed to clean up the problems in the King Street nightclubs.

A lady rang in from a packaged liquor outlet. It was Georgia from Swords Direct. She operates her outlet at the Melbourne market. Because Georgia's outlet operates outside normal business trading hours — being a trader at the market she is required to open during market trading hours, which means she opens before 9.00 o'clock, at 6 or 7 in the morning — she is categorised as having the same operating hours as the nightclubs, and her liquor licensing fees have increased from \$1700 per annum to \$6300, yet John Brumby says this is not a burden on small business. An increase from \$1700 to \$6300 is a burden on small business.

Some small family-owned licensed bottle shops across the state are also now paying the same fees, and in some cases higher fees, as the big barn liquor supermarkets. This is a burden on small businesses and has been caused by Premier Brumby failing to clean up the problems in the King Street nightclub precinct.

There are IGA supermarkets in Portland, Port Fairy and Warrnambool. The fees of two of these outlets have gone from \$249 to more than \$3000; the fee of the supermarket in Port Fairy is now \$6330. These are small businesses that are trying to provide an additional service to their customers by opening on Christmas Day and Good Friday. This means they will now pay the same fee as much larger bulk liquor outlets. This is hardly a fair fee for a small family-owned grocer to pay.

Small business is tough. I know this because I ran a small business for 27 years. You work long hours and you work hard. Every additional impost the government places on you is difficult to meet. One of

the reasons I am in Parliament is that as a person who was formerly involved in a small business I understand how the decisions made in this chamber affect people at the grassroots level. I can tell members that an increase in a fee from \$1700 to \$6330 affects you at a grassroots level.

Local IGA supermarkets are now considering whether they can continue to trade on Good Friday. That means that the people of Port Fairy, Portland and Warrnambool will be disadvantaged because they will not be able to shop at their local IGA supermarket on those days.

The Portland IGA trader, Peter Daly, was scathing in his criticism of the new fee structure. He said:

It is just revenue raising. Small operations will be paying the same fee as the likes of Dan Murphy's ...

The only commonalities are we all sell liquor.

Small businesses 5 hours from Melbourne are paying the price for street violence in Melbourne. Peter Daly is right; they are paying the price because John Brumby has failed to clean up the problem in the King Street nightclub precinct in Melbourne.

These new liquor licence fees have also impacted on restaurants, particularly restaurants which play live music and that are open after 1.00 a.m. These venues have now been dubbed 'high-risk venues'. Many of them are not. The Greek Deli and Taverna in Chapel Street in Melbourne has been operating for 25 years. The owner has live traditional Greek music on a Friday night. The new laws now require him to have two bouncers at the front door of the restaurant. The owner of the deli, Jim Pothitos, has said it is a deterrent to have bouncers on the door. It deters people from coming into his restaurant. Automatically people think that because he has two big burly guys standing outside his restaurant the place is a problem. It scares people away. This is a restaurant playing traditional Greek music. It is not a nightclub; it is not a place where there are going to be problems, yet security guards are required to be at the restaurant and that is impacting on that small business.

Small country pubs have been hit particularly hard. Many of them may be forced to the wall by the massive fees that stem from the problems of street violence in Melbourne. Country pubs are an important part of country communities. They are a community hub, a meeting place and are the sponsors of the local football club, the netball club, the cricket club and the pony club, amongst others things. Country pubs are important fundraising facilities for these clubs. Most

importantly they are the centres of many social activities of country towns. When communities lose their pub or football club, they lose their sense of community. These are places where people gather to meet, and they hold communities together. As I said, small businesses are hard work. They include long hours, weekend and public holiday work. It is getting harder for small business operators under this government.

The staff of some country pubs have told me that the effects of the government ban on smoking have also affected them badly. They say this ban has just pushed community drinking out of the pubs and into backyards and sheds instead of the patrons gathering at pubs. This means we have unlicensed venues where people are gathering; they are BYO (bring your own) venues. These venues will not be subject to any of these increases in liquor licensing fees. But the small pubs that are struggling to survive which have already been adversely affected by the Brumby government's decisions will be particularly impacted on by these licence fees. When saying that, I am not advocating for smoking to return anywhere. I find it rather pleasant to be able to go out and not come home smelling of smoke. I just am trying to inform members of the chamber of the things that patrons in country Victoria have told me.

One country pub that will be affected by this issue is the Dingee Hotel, which is 50 kilometres north of Bendigo. The proprietor, Gary Vassallo, said:

My fee was \$500 two years ago. It went up to \$900 last year and now they want \$2300 because they can't control the thugs in King Street.

In Jarklin, Raywood and Mitiamo the pubs are considering whether they can continue to trade, and these towns may be left without a pub. Yolande Humphries of the Raywood Hotel said there had been no violence in their pub in the 14 years that her family had owned it. However, her fee had gone up from \$1000 to close to \$3000. Yolande said she cannot afford that, so she has offered to cut back on the hours she is open, which will cost the family money.

Kellie Hare, who runs the Four Post Hotel in Jarklin, is facing an increase from \$900 to \$2300. She is also cutting back on hours, and it is because of the violence in the nightclubs in Melbourne; it has nothing to do with the patrons in Jarklin.

The Laurel Hotel in Mitta Mitta is facing a fee increase from \$957.10 this year to \$2395 next year. This is a pub that sponsors many community events and sporting teams, yet the money that could have gone into

sponsorships in Mitta Mitta will now be going into the pockets of the Brumby government, because it has failed to deal with the violence that exists in King Street in Melbourne.

The Merino Hotel in western Victoria has experienced a leap in its liquor licence fee from \$900 to \$2350 this year. Again this is a place where there is no violence and where they sponsor local football teams. But that money will now be going into John Brumby's pocket.

At the Natimuk Hotel publican John Strudwick has said that business margins in country Victoria are very tight due to the drought, poor crop prices and a fall in tourism. Their profitability will be made significantly worse by this increase in liquor licensing fees.

Today's *Weekly Times* also carries an article that gives some hope to country hotels. An article by Kate Dowler starts out by pointing out that:

Hundreds of small country pubs ... face possible closure ... due to drastic licence fee hikes introduced by the government to curb alcohol-fuelled, antisocial behaviour.

But the article goes on to report that the government now intends to conduct another review into licence fees for small country pubs. I think this is probably welcomed by the pubs because they are in a desperate situation at the moment. The Minister for Consumer Affairs, Mr Robinson, is reported to have said:

Further independent research would be commissioned to look specifically at the issue of regional and rural pubs to see if there is a real difference between the risk posed by small venues operating in a country town and similarly sized venues in regional cities or in suburban Melbourne.

Further on in the article the minister said:

We'd like to see incentives for those who run a pub in a good way ... and their fees will be different from those who don't.

We hope that happens; we hope those who run their pubs in a good way are not penalised by those who are contributing to the problems that exist in the nightclubs around King Street, because it is not fair to have small country pubs in regional and rural Victoria paying for the problems that exist in Melbourne. It should be risk based. It should be based on their history. If you have problems, then you pay more than those venues that have no problems at all.

Mr Hall — The government should have had the sense to foresee all of these problems.

Ms LOVELL — Absolutely, Mr Hall. The government should have had the sense to foresee all of these problems. We should not be going back to do

further reviews. The government should have done this in the first place, before it imposed these huge fees on small businesses not only in country Victoria but also throughout Melbourne for a problem that they did not create. This would have been a genuine risk-based system; it would have been fair. But this government had a knee-jerk reaction to the problem and put up everybody's fees.

It is a revenue-raising activity by this government — from \$15 million to \$35 million, an increase of \$20 million. It is just about revenue-raising to fund the Labor government's promises in its bid to be re-elected at the November election.

Mr Hall — Totally out of touch with reality.

Ms LOVELL — Absolutely, Mr Hall. The government is totally out of touch with reality. Labor has been in government for almost 11 years now. In its 11th year it has become arrogant and is completely out of touch with the community.

The *Weekly Times* article goes on to say:

Merino publican Ian Whalley said the minister's comments were 'most encouraging, but it's easier to talk the talk than walk the walk'.

Mr Whalley says that because nobody trusts this government any more. They know it will say one thing and do another. The government will say this to try to take the heat out of the argument, but at the end of the day these pubs will be left with massive fee increases.

Tolmie Tavern's publican, Ronnie O'Dwyer, said the government had failed to recognise the services provided by tiny country pubs that were otherwise unavailable.

These tiny country pubs do provide a service to their towns. As I have said, they are the community hub; they are the centre of the community's social activities. The publicans also act as counsellors and friends to the community. A pub is a place where someone who is a little bit down can go and have a beer, can have a talk to the publican, and it provides a tremendous service to the town. If the Premier, John Brumby, got out of Melbourne and visited some of these places, he would realise the service that these country pubs are providing, particularly in the times that we have gone through in country Victoria in recent years where there has been tremendous hardship due to drought and due to the bushfires that have devastated communities. In some cases it is the pub that holds the community together.

Mr O'Dwyer goes on to say in the article that:

... our little business here just about poses no greater risk than your average household ...

That is quite true. When you have a small pub with three to four patrons in every night, the risk is no different from the risk in the average household. Why have their fees increased so significantly under this government?

The Dingee Hotel publican, Garry Vassally, is reported in the article as saying that a further review would be:

... very, very welcome because we need all the help we can get ... small pubs are shutting shop everywhere.

Bush pubs are part of what being Australian is about. Without bush pubs Australia just isn't Australia ...

And that is quite right. If you live in rural Victoria you would know that without bush pubs Australia is not Australia. Even though I live in a regional city in Shepparton I know that in my youth we used to seek out some of the smaller country pubs around us. We frequented the Tallygaroopna Hotel; we frequented the Toolamba hotel; we frequented the Waaia Hotel — and the Barmah pub of course — because these were great places to be on a Friday or Saturday night. There would be a much smaller crowd than you would get at venues in the bigger cities. It was a much friendlier crowd and usually they served great meals — extremely good counter meals — and offered a very pleasant night out.

The Cowwarr Cricket Club Hotel's Helen Hoppner also told the *Weekly Times* that country publicans were hardworking, community-focused people who were now 'being treated as criminals'. Is it not a sad indictment of the government that people in Victoria feel it is treating them as criminals? This is a hardworking, good member of a community who feels she is being treated as a criminal because this government is not listening to her and is not concerned about her; it is just imposing these massive fee increases on her.

Peter Chisnall from the Tungamah hotel has said:

The Premier needs to step outside of the city and see how Labor's legislation will decimate country Victoria.

I agree wholeheartedly with Mr Chisnall. The Premier does need to step outside of the city to see what this is doing to country Victoria.

We also know what it is doing to the live music industry in Melbourne. I do not think anything more needs to be said other than mentioning the Tote Hotel. What a campaign that has been to highlight the unfairness of these new liquor licensing fees. The Tote Hotel in Collingwood had a blemish-free record. It had been blemish-free for over 20 years and even their local policeman, Sergeant Nathan Kaeser, has stated that the

Tote Hotel is not one of the trouble spots in the area. But it counted for nothing under this risk-based regime. It is hardly risk based. You have not had any problems for 20 years and the local police say it is not a problem area but you are hit with massive fee increases — that is not risk based, that is revenue raising.

The venue was considered high risk because it remained open until 3.00 a.m. It has now closed, as has been well documented. The impost placed on it by this Labor government means that its 2 full-time staff and 16 part-time employees have lost their jobs and many people in Melbourne have lost the ability to go and hear live music at the Tote Hotel, which is quite sad and will be devastating for the live music industry. Many young bands get their start in these types of venues. Where will they play now? Because they play live music, Labor will place massive fee increases on any venue where they play and it will become unviable for the owners of those venues. Labor is killing off the arts and killing off live music in this state. It must be terribly disheartening for young musicians to know that this government cares so little about the culture we value here in Victoria.

The government got a bit nervous about the Tote, particularly when a large protest was held at the hotel and young people were holding up placards that said 'We Tote and we vote'. It made the government a bit nervous, and it sat up and took a bit of notice. The Minister for Housing, Richard Wynne, came back from his holidays for a day and met with the owner of the Tote. The government promised a lot. It promised there would be a meeting and a new case by case approach to the tough rules. This was all reported about by Jason Dowling in the *Age* on 27 January. It was said that this would all be solved, that Labor was being consultative with the Tote Hotel and this new case by case consultation on fees would be the saviour of the Tote Hotel and other live music venues. But the following day Jason Dowling had to write another article saying that it was just not good enough and that the live music venues had said that it was not good enough and it was not going to save them.

Since then we have seen the Tote Hotel completely close its doors. We have also heard of the Arthouse and many other venues around Melbourne closing down. This is all because the Premier failed to act on the violence that exists in the nightclubs around Melbourne and the government is trying to revenue raise to look as if it is doing something about the violence that exists. But it does not actually solve the violence. If the government had got in early enough, if it had been tough on crime, if it had had enough police on the beat, we would not be in this situation and venues that are

not causing problems would not be being punished by the government for its incompetence. Many of my colleagues will talk about their local hotels and the impact the licence fees have had on them. They will talk of the Tote Hotel and the Arthouse and the impact these new licence fees have had and how unfair they are, how they are not risk based and how they are not going to address any of the problems that exist. All they will do is raise revenue for the Brumby government.

Mr LEANE (Eastern Metropolitan) — Speaking on Ms Lovell's motion as set out on the notice paper, it is clear that the Brumby Labor government has been consistent and transparent in its approach to liquor reform. In May 2008 it announced its intention to introduce a risk-based fee structure as part of the Victorian alcohol action plan.

Basically when you look at that, the cost to regulate the licensing industry is around \$35 million, which the new risk-based licensing regime will bring in. The regime previously had a shortfall which meant the taxpayer had to pay to regulate the liquor industry.

It is only fair that the regulation of this industry should be funded by the industry. I do not think it is outrageous to ask that. It is estimated that the cost to Victorian taxpayers of alcohol-related harm runs in the region of \$380 million per year. The intention is that this regulation will be covered by the industry. We in government have been very clear about the risk-based system for licensing fees. This licensing fee is to pay for the oversight of that particular industry.

To date this year well over 35 per cent of licensing fees have been paid, which is good. Many venue operators are happy to take some responsibility for the regulation of their industry. In every industry where there is regulation or licensing the venues and licensed premises that believe they do the right thing and that endeavour to do the right thing are more than happy that people are making sure that across the board there is a level playing field and that every venue is doing the right thing according to their licence.

As a member of the parliamentary Drugs and Crime Prevention Committee I have spoken to some venue operators over the last few months, and they have clearly reflected this sentiment. They believe their venues supply appropriate security. They do everything in their power to ensure that they do not serve under-age drinkers and that they do not allow their venues to become overcrowded. These venue operators were concerned that there are other venues that may not be reaching those high standards, and therefore they are happy to see their venue visited by licensing police and

other authorities as long as that is happening elsewhere. That is a fair enough position.

In terms of the costs that are derived from this particular licensing regime, you have to look at the people who make sure that venue operators adhere to the regulations. The Drugs and Crime Prevention Committee spoke to a member of the Metropolitan Fire Brigade whose role it is to make sure that these venues are actually up to code as far as fire safety goes. On one of the nights we went on a tour of nightclub venues with Victoria Police we came across that MFB officer. He had just visited a venue whose operators were notorious for blocking the fire exit so that they could fit more people into their dance club. The MFB officer makes sure that this kind of thing does not happen and makes sure that these venues are safe. The wage of that officer and the wage of his colleagues would not be covered by the \$35.8 million that will be used to regulate the industry. The taxpayer is still going to foot many of the costs incurred by the liquor industry, so I am not too sure why the opposition is so concerned about this particular industry funding its own oversight regime.

When the new fee system was introduced, as I said, there was a significant shortfall between the revenue generated by the fees and the actual cost of regulating and policing the venues. Obviously this shortfall was paid for by the community. This motion, and Ms Lovell's contribution to the debate, make it clear that the coalition is quite happy for the Victorian taxpayers to keep footing that bill. It is pretty clear that Ms Lovell is happy for the government to foot the bill for that particular industry.

I will respond to Ms Lovell's point on bottle shops. I am not sure if Ms Lovell believes that bottle shops or places that sell packaged alcohol should be regulated because some of them may be small businesses. I am sure in her summing up she will have opportunity to respond to that. I will just point out to Ms Lovell that they should be regulated. They sell alcohol. The cost of alcohol-related harm to Victorian taxpayers is in the realm of \$380 million per year. In saying that I am sure that the majority of licensed packaged liquor stores do the right thing and they accept that if they work in the industry they should be regulated. I am sure that they are happy for all their competitors to come under the same regime and are happy to do the right thing.

It is interesting to note that almost 76 per cent of alcohol sales are from packaged liquor outlets. It is fair that those particular outlets pay their fair share in regulating liquor in Victoria.

Mr Hall — Will it be based on risk or on volume?

Mr LEANE — It is based on risk, and that has been clearly stated. I want to talk about packaged liquor outlets. There are concerns about alcohol-related assaults. I know opposition members like to talk about Melbourne's central business district (CBD) and King Street in particular, but alcohol-related assaults are not unique to that area. Venue owners in the CBD say they have experience of a lot of people doing what is called pre-loading, which means that before they go to venues they go to a bottle shop in their area or somewhere closer to town to buy cheap packaged alcohol and drink as much as they can. The venue owners say these people enter their venue and after one drink they seem to be quite intoxicated. I do not think we can divorce packaged alcohol sellers from the issue of alcohol-fuelled violence.

The opposition cannot have it both ways. Opposition members like to spruik the fact that the CBD is a dangerous place at night. They say that a lot of the time it is a terrible place to be after hours because of alcohol-fuelled violence. We cannot say the industry should not be part of finding a way to remedy the situation. With other members of a parliamentary committee I have been out in the CBD well into the early hours of the morning a number of times, and I encourage all members of Parliament to do the same. I think it is incumbent on us all to witness what happens in the CBD late on a Friday or Saturday night and into the early hours of the morning.

A clear majority of young people have a right to go out at night. A lot of them work in restaurants and cinemas in the evening which means they are able to go out only in the early hours of the morning. They are working for us when they are serving us our dinner or whatever, and they have a right to go out at night or early in the morning, and clearly a majority of young people in the CBD are just out having fun. There will always be a percentage of people who are not out to have fun. Some are not necessarily alcohol-fuelled, but you will always get a halfwit who comes into the CBD looking for a fight. The police we spoke to attested to that.

Ms Lovell spoke a lot about the concerns of people running small businesses, and I think that is fair enough. In saying that, in August last year a hardship scheme was introduced into the liquor control regulations for licensees who may have difficulty in paying higher annual fees. Under the hardship scheme small businesses employing the equivalent of five or fewer full-time employees and not-for-profit organisations can apply to the Director of Liquor Licensing for their annual renewal fee to be waived or

reduced if payment of the full amount would cause hardship. At this stage 250 businesses are eligible under the hardship provisions. Bed and breakfast businesses and sporting clubs were mentioned in that regard.

The new risk-based fees were introduced after independent research showed that the biggest risk factor for trouble — I am not talking about assault but about property damage and vandalism — is trading late into the night. I do not think that should be of any surprise to anyone. Therefore, venues that open during those hours need more regulation and policing and they pay higher fees. I do not think that is an outrageous thing to ask for. Provisions governing trading past 1 o'clock in the morning and requiring such venues to have more security and closed-circuit television (CCTV) cameras and ensuring staff are all trained in responsible alcohol service were originally introduced in 1999 by the Kennett government. It introduced provisions relating to extra security for venues that open after 1 o'clock. I do not like going back that far in history, but I want to say something positive.

Mr Vogels — Fair dinkum!

Mr LEANE — I want to say something positive, Mr Vogels. I think that was a good provision brought in by the Kennett government at the time. Obviously it has been enforced by the Liquor Control Commission — and that makes sense. Those venues should supply extra security. I do not think it should be up to the taxpayer to foot the bill. I am surprised that the concern is expressed in Ms Lovell's motion about supplying security, considering the ramped-up law and order campaign the opposition is undertaking, particularly regarding its concerns about the CBD.

It is obvious that members on this side of the house will not be supporting Ms Lovell's motion. I note there are a number of concerns, and bringing in any new licensing system will have its opponents. I know the minister and the department concerned are keen to talk through and work out any hardship issues and concerns that arise. I am sure it will be a good and fair system under which the liquor industry pays the right amount of money to have it policed and regulated.

Mr HALL (Eastern Victoria) — I welcome the opportunity to speak on this motion relating to liquor licence fees because it is an absolutely red-hot issue in the community I represent and, I would think, in the communities that most people in this house represent. I hate to say it, but to the government I say: we told you so. This issue was debated when the Liquor Control Reform Amendment (Licensing) Bill went through Parliament. Opposition members told the

government — when it put out the proposed fee structure by way of discussion paper and regulatory impact statement — that it was a grossly unfair structure, and now we see the chickens coming home to roost. We see government members squirming and scrambling to try to minimise the damage caused by a group of people and a minister who simply did not have the vision to realise they had got it wrong big time. Over recent weeks we have seen reports of people who run live entertainment venues around Melbourne and country pubs and packaged retail outlets complaining bitterly about the fee structure as proposed by the government now.

I also want to make the point very strongly that this issue provides no better example of why Parliament should exercise its capability to reject at any time regulations made under an act of Parliament. When the Liquor Control Reform Amendment (Licensing) Bill was debated in Parliament in September last year the Liberal-Nationals coalition moved an amendment to provide that any regulations made under this act would be disallowable by either house of Parliament. That is what our amendment was. I tell you, President, that had that amendment been accepted, we would not be here today debating the motion in this form. What we would be doing is debating the motion in a form that said we should disallow the proposed regulations.

You would have to be blind Freddy to not concede that this is a real problem out there in the community. As I said, even government members are scrambling; they have already made suggestions that they will review the licence fee structure as it applies to live entertainment venues. In the *Weekly Times* today we read that the government is now considering reviewing the license structure as it applies to country pubs.

The government got it wrong, absolutely wrong. Under the right process not the government but the Parliament would have had the prerogative to review the structure. I was disappointed that the government and the Greens were not prepared to accept the amendment put up by the Liberal-National party coalition at that time. I have said, and I repeat, that I believe proper scrutiny and the proper role of this Parliament is not only to scrutinise legislation but to have the ability to scrutinise every regulation made under an act of Parliament as well. That is why in my view all regulations made using regulation-making powers should be disallowable by either house of Parliament. That is how the Parliament is supposed to work, and that is how the people out there expect the Parliament to work. But no, we have seen — —

Mr Vogels — The devil is in the detail.

Mr HALL — The devil is in the detail; exactly what Mr Vogels said. I appreciate that not every detail can be spelt out in legislation and that much of it does have to be spelt out in regulation. But Parliament should always have the ability to exercise a veto on any detail made under regulation. It is on the heads of the government members, the Greens and those others who did not support this amendment. That is why we are here today — because the government has stuffed it up big time in this particular example.

My colleague Ms Lovell has pointed out a number of very clear examples of where this licensing fee is grossly unfair. I want to add to that, because my electorate is clamouring as loudly as any around the state of Victoria. Bed and breakfasts have been cruelly discriminated against with respect to this fee structure. A bed and breakfast in my electorate, Chestnut Hill Country Retreat, between Traralgon and Yarram, has had its licence fee jump from \$50 to \$95 in the past, but this year it has gone up to \$400 or thereabouts. The owners have had to surrender their licence. They are not going to pay that fee, because they run a bed and breakfast and what do they do? They provide a complimentary drink to their guests. They simply cannot afford to do that now.

At another bed and breakfast in East Gippsland they used to pay \$97, now it is \$396. They do not even sell \$90 worth of alcohol in a whole year yet they are now expected to pay fees close to \$400. An alpine lodge close to Mount Hotham had its licence go up from \$700 to around \$2000. It has only 15 rooms which accommodate up to 40 people. Yes, the licence goes until 1.00 a.m., but that is predominantly to cater for weddings. These are very rare events throughout the course of the year and yet the lodge is faced with huge fee hikes.

Packaged retail outlets have also been indiscriminately hit by these fees. I might add that many of these people do not really want their names in *Hansard*, and I am not going to reveal all their names because they have disclosed to me in confidence what their fee increases will be. They do not want the inspectors having some vendetta against them because they have whinged to coalition members about fees. I respect their right to confidentiality. A licensed supermarket — a small one not in the central business district but on the outskirts of the town — has had its fees go up from \$300 to \$1600. They were going to offer to sell alcohol when they open at 7.00 a.m. but the fee would have been \$5000 if they had done so, so that part of their business is behind locked doors until later in the day. A fairly significant supermarket operator in Maffra in country Victoria has experienced a licence fee hike from \$500 up to \$1700,

and that is typical of some of these small packaged outlets. Another one in my electorate which has four licences has suffered an increase of \$5000 under this new structure.

So far I have talked about accommodation places like bed and breakfasts and packaged retail outlets. Representatives of each of them point out that the problem is that they do not have a problem with alcohol-related violence. It is not as if the bed and breakfasts up in the hills in South Gippsland are frequently going to have drunks and violent episodes given the few people who use their facilities for the occasional drink, and the same with the packaged retail outlets. Yes, people can buy liquor in bulk — there are no laws as to the volume of liquor you can buy at those places — but it is not as if they are serving people who are already intoxicated. They have to observe the same laws as any licensee. They are not allowed to sell to people who are under-age or intoxicated by liquor, yet they are being rated highly in terms of risk factor and are paying for it.

A supermarket chain in Orbost, for example, has had its fees go from \$1500 up to \$5200, an increase of \$3700. The reason is that they were open on Good Friday and were therefore put into a higher risk category. In country Victoria most businesses will be open on Good Friday because they are small businesses. They are not the major retail outlets you might have in bigger, metropolitan areas, but because they operate on Good Friday they have been placed in the high-risk category and are suffering because of it.

At another hotel in country East Gippsland fees have gone up to \$1590. These are significant amounts for many of these businesses, the margins of which are not great. A further example is a small country hotel in one of our small towns around the Latrobe Valley. They make the point that after 5.30 p.m. theirs is the only commercial business open in the town. If people need a bit of milk or chocolate, a snack or whatever, they go to their local pub to buy it. The pub provides a service. This particular hotel has a license to open until 1.00 a.m. on Friday or Saturday, and that might occur once or twice a month at the very most. For the privilege of staying open until 1.00 a.m. on Friday or Saturday, the licence fee has gone up from \$957 to \$4100. It is an extraordinary increase.

A small wine outlet in East Gippsland, which makes up part of my electorate, has got two liquor licences. It sells packaged liquor, which is just wine. The licence fee for that was \$257; now it has gone up to \$1590. It has a second licence which enables it to sell wine by the glass. That has gone from \$95 to \$397. It is open

between 10.00 a.m. and 7.00 p.m. and would have 35 patrons as an absolute maximum at any one time; that is its total capacity. A wine bar of that nature is not the sort of area where you would expect any form of violence. It has been hit with significant increases in its fees because of the restructure.

I refer to some of our country wineries and vignerons. One of them in my electorate has a licensing increase from \$150 to \$400 just for the privilege of being able to produce wine. On each occasion that producer wants to sell wine at a local farmers market their limited licence has gone up from \$26 to \$90.

There are numerous examples. Some of my colleagues from The Nationals right across country Victoria have supplied me with many other examples. One of them is a bed and breakfast up in the western area near Horsham, near Mr Vogels's electorate. Its liquor licence has gone from \$93 up to \$397. It only has two accommodation units and a 50 per cent occupancy rate, and the only liquor it sells is out of the mini bar. Others who just provide a complimentary bottle of wine to their visitors are paying these big increases in fees. It is putting severe economic pressure on these small businesses.

A small bowling club in the Western District, which has a membership of 19 men and 10 ladies — 29 members in total — has a limited renewable liquor licence which has gone from \$90 up to \$397. For a small club of 19 people, finding that extra increase almost makes supplying liquor for their own benefit non-economic.

There is a wealth of examples; we could have chosen a lot more. I just cite some of those to show how unfair and how wrong this government has got this whole licence fee structure. It is supposed to be risk based, and we have no argument with a fairly based, risk-based licence structure, but the way the government has drawn it up means there is too much inflexibility in the criteria applied to make this a fair structure. It is not fair. Many small businesses, from bed and breakfasts to retail-package outlets, have been unduly and unfairly impacted by the structure of these licences.

I will close by repeating the point that the whole nature of this debate would be different if the Parliament had agreed to the Liberal-National coalition amendment to disallow regulations made under the Liquor Control Reform Amendment (Licensing) Bill when it was debated in September last year.

The government has got it wrong. By way of its preparedness to look at a couple of aspects of this

licensing structure it has conceded that it has got it wrong. I say to the government that the right thing now would be to go back to square one, to completely abolish the current structure and start again. Start again in a genuine and fair way, listening to what people in our electorates are saying to us and structure something that is truly risk based and provides fairness in how it is applied to all forms of liquor licences in this state.

The government stands condemned because it did not listen in the first place and has got it sorely wrong now. The impact, the fury and the backlash that will be experienced by this government is yet to be felt. As I said at the start, I hate to say 'I told you so' but that is what we could be saying here tonight. The government should abolish this current structure, go back, start again, get it right, listen to the people and be fair in the application of the licence structure to all Victorians.

Sitting suspended 6.27 p.m. until 8.03 p.m.

Ms PENNICUIK (Southern Metropolitan) — I will start my contribution to the debate on Ms Lovell's motion by reading from the World Health Organisation's *Strategies to Reduce the Harmful Use of Alcohol — Report to the Secretariat*, which was presented to the 61st World Health Assembly in March 2008. Under the subheading 'Strategies and policy element options to reduce alcohol-related harm' the document lists such important elements as: raising awareness and political commitment; community action to reduce the harmful use of alcohol; health-sector response — in particular harm reduction and harm minimisation; drink-driving policies and countermeasures — which obviously we have in the state of Victoria; addressing the availability of alcohol; addressing marketing of alcoholic beverages; and pricing policies. The effective strategies to reduce harm from alcohol are well known in literature throughout the world.

Paragraph 13 of this document states:

13. Addressing the availability of alcohol. Regulating production and distribution of alcoholic beverages is an effective strategy to reduce harmful use of alcohol and in particular to protect young people and other vulnerable groups. Many countries have some restrictions on the sale of alcohol. These restrictions cover the age of consumers, the type of retail establishments that can sell alcoholic beverages, and licensing, with limits on hours and days of sale and regulations on vendors and the density of outlets.

The density of outlets is an issue that needs to be resolved here in Melbourne in particular.

Paragraph 15 of the report addresses pricing policies, and states:

15. Pricing policies. Price is an important determinant of alcohol consumption and, in many contexts, of the extent of alcohol-related problems. Considerable evidence has accumulated to support the use of tax changes as a means of influencing price. High tax rates may not be the first choice of policy in countries where alcohol-related problems are less important or there is a considerable informal market ... Even in such countries, decreases in prices of alcoholic beverages or an increase in disposable income without appropriate adjustment in those prices could counteract such policies.

There is a strong body of evidence that taxing alcohol according to the volume of alcohol per alcoholic beverage is the way to go. That is certainly what is done in the United Kingdom. It is interesting that the Henry tax review has flagged that as the way Australia should go. The international evidence is that that is what needs to be done, but in Australia that is a federal issue and not a state issue.

However, at state level we can address the availability of alcohol, which I have already spoken about, and the marketing of alcoholic beverages. Paragraph 14 of the World Health Organisation report states:

14. Addressing marketing of alcoholic beverages. Young people who have chosen to drink alcoholic beverages and who drink regularly are an important market segment for alcohol producers. It is very difficult to target young adult consumers without exposing cohorts of adolescents under the legal age to the same marketing practices. Controls or partial bans on volume, placement and content of alcohol advertising are important parts of a strategy, and research results underline the need for such controls or bans, in particular to protect adolescents and young people from pressure to start drinking.

That is another area where more action is needed at the state level.

I was interested to read an article by Geoff Munro which appeared in the *Age* of 22 January. I know Geoff from my previous work at the Australian Drug Foundation. His article deals with sponsorship for the Big Day Out in Australia and New Zealand by five large alcohol companies. In his article he points out the contradiction between allowing those companies to be the main sponsors of the event — and to all intents and purposes the only sponsors of the event — when a lot of young people who are under the legal drinking age also attend the event. His article mentions the Victorian government's latest innovation: the ministerial portfolio for the respect agenda. His article notes:

If we want our children to respect themselves, their friends and peers, their parents and teachers, and others they don't even know, we have to show that same respect to them, yet

we let them down by allowing alcohol to colonise youth culture.

The World Health Organisation's European Charter on Alcohol states that young people should be 'protected from the negative consequences of alcohol consumption and, to the extent possible, from the promotion of alcoholic beverages'.

In Victoria we still have a long way to go in terms of alcohol sponsorship of events, particularly sporting events and, in this case, the Big Day Out.

I would like to say at the outset that I am not against alcohol; I drink alcohol. However, I support what I just read to members from the World Health Organisation, and I understand from my work in this area at the Australian Drug Foundation the large body of evidence that points to pricing policies and licensing regimes in relation to the availability of alcohol as really effective measures for dealing with alcohol-related harm.

It is worth stating at the outset too that alcohol-related harm is not restricted to just alcohol-fuelled violence, which is what we seem to be focusing on in this debate. Alcohol-fuelled violence definitely is a concern and does occur, but there are other harms stemming from alcohol, such as people being involved in accidents and the medium and long-term effects on people's health. All of these forms of harm can be mitigated by a combination of measures, including pricing and licensing to restrict availability.

I turn to Ms Lovell's motion. We have had quite an extensive look at the motion. I would have to say it makes some relevant points, but it also overstates the case in other respects. It would be fair to say that this motion perpetuates some confusion that could be noted in the public discussion that has been raging or that has come to light since the Tote Hotel in Collingwood flagged that it was going to close down — and it has subsequently closed down — due to what it called the new licensing conditions. That was an issue of concern to us, particularly to me, from the point of view of not wanting to see a music venue close down. Going to see live music is an integral part of my life and has been since — should I say — I turned 18.

Mrs Petrovich — Last week.

Ms PENNICUIK — Thank you, Mrs Petrovich; yes, it was not that long ago! I enjoy going to see live music and have done for many years. I have many friends who are musicians, and my partner is a musician as well, so I am quite familiar with the issues raised by the Tote. However, the problem raised in the media reports was confusing. What did the new laws mean and what were the things that were actually

impacting on the Tote and on other venues, which are being referred to today in this motion?

The first part of Ms Lovell's motion talks about hardship caused to many social, sporting and community clubs; small licensed grocers and bottle shops; live music venues; smaller pubs; and vigneron and other licensed venues as a consequence of the Brumby government's unfair liquor licensing regime. Ms Lovell and Mr Hall raised quite a few examples of licensees that they say have been unfairly impacted on by this licensing regime. I am not sure that the licensees they referred to have been impacted on unfairly or unpredictably. The whole aim of the regime that was put in place by the legislation last year was to increase liquor licence fees for venues and for packaged liquor outlets, and the effect has been that people's liquor licence fees have gone up. Nobody should be surprised about that because that was the intent of the legislation, and, as was alluded to in the World Health Organisation report, that is an effective method for reducing alcohol-related harm.

As I said, quite a few examples were raised which I think just serve to perpetuate some confusion, and they are really just the result of the regime raising the amount paid for licences across the board. That may be viewed as unfair by some people, but it was the intent of the legislation. One example Mr Hall gave was a bed and breakfast, I think, for which the licence to serve alcohol had been \$50 and was going up to \$400. I think anybody would have to say that \$400 a year is not very expensive and that \$50 a year was probably not very high; as was suggested to me, it is almost on par with a fishing licence. Yes, the cost of licences has gone up.

In the first paragraph of the motion there is also, however, the issue of vigneron — people who sell wine, for example, at markets. That has been brought to our attention. They have been caught up in what the government has called the risks. One of the risks is selling alcohol outside normal trading hours, being 9.00 a.m. till 11.00 p.m., such that if you trade outside those hours — to 1.00 a.m. or to 3.00 a.m. — the licence goes up. Trading between 11.00 p.m. and 1.00 a.m. is one sort of risk, and trading between 1.00 a.m. and 3.00 a.m. is seen as a higher risk, and the licence fees go up accordingly. Caught up in this seem to be people who sell wine they may produce — organic wines, for example. They take them to the market and set up at 6.00 a.m., and so they are caught in those non-trading hours between 3.00 a.m. and 9.00 a.m. and are being slugged with the very high licence fee, which is actually aimed at venues which are trading in the wee hours of the morning. That seems to be a glitch in the system.

One of those wine cellars has provided us with some figures that show that fees at the South Melbourne Market have gone up from \$1600 to \$6000, with the same increase at the Queen Victoria Market, and that at the Clifton Hill and Prahran markets fees have gone from \$249 to \$1590 and \$500 to \$1590 respectively.

My colleague Colleen Hartland has written to the liquor licensing commission, which is now the responsibility of the director of liquor licensing, Ms Maclellan, to ask her to clarify that issue. As Ms Lovell mentioned in her contribution, it has been reported in the *Weekly Times* that Minister Robinson said he will look at that issue and do some work on refining those risk categories, because it appears that that activity is being caught up unexpectedly in a risk category not aimed at it. Certainly that could be tweaked.

The second and third points in Ms Lovell's motion are:

- (2) notes the Brumby government's unfair liquor licensing regime directly threatens the future of Victoria's live music scene as demonstrated by the closure of iconic live music venue the Tote Hotel in Collingwood with the consequential loss of opportunities for musicians and the loss of jobs for full time and part time staff;
- (3) notes that uniform licensing conditions requiring security staff to be engaged at licensed venues featuring live or amplified music are making the performance of live music at some low-risk venues financially unviable with serious consequences for Victoria's music industry.

The Greens agree that linking the provision of live music in a venue with the requirement to pay for a higher risk licence is not a good thing, because if we are talking about the risk of violence or alcohol-related harm, that is unrelated to music and should be related to the risk of alcohol harm. We agree, that is an issue.

When it was first raised the problem as to what was actually happening at the Tote Hotel in Collingwood was very confusing to us. It seemed that, along with similar venues, the Tote Hotel's licensing fees had gone up by almost 50 per cent. Many venues such as the Tote had not changed the way they were operating; they were still operating as they always had.

We acknowledge that the Tote has been a trouble-free venue, but it seems that, contrary to reports in the media and what is in this motion, the requirement for security where there is live music is a longstanding one. As Mr Leane pointed out, that requirement has been around for about 10 years. It is certainly not something that was established in the recent changes to the liquor licensing regime. What may be happening is that it is starting to be enforced more often.

Mr Barber looked on the liquor licensing website for venues in his electorate and found that there are 107 venues with general licences in Fitzroy, North Fitzroy, Collingwood and Abbotsford. Of those, 21 have identical conditions to those for the Tote Hotel, and 22 others have some other condition that is either a variation or a softer version or some sort of restriction related to the issues of security and CCTV (closed-circuit television). If there is live or amplified music there are requirements, which can vary slightly, to have security cameras that start 30 minutes before and finish 30 minutes after music is being played, and the requirement is for two security guards for between one and 100 people.

The Greens have been concerned about the linking of live music to the requirement for security because venues that do not have anywhere near 100 patrons are being caught up. They have music playing and are not causing any trouble. They are being slugged with a requirement to provide security when security is not necessary because the other risk factors of numbers of patrons, hours of operation and consumption of alcohol are not there.

The Greens have looked at this issue and developed what we call our four-point plan to save Victoria's live music industry. The first point is to target violence, not talent — that is, make the triggers for special licence conditions a history of violence, levels of alcohol consumption, late-night operations or patron numbers, but not the presence of live or amplified music.

The second point is to strike the right balance. Liquor licensing policies and laws should support the aims of the state live music policy which should be developed and should make it clear that changes to licence conditions must be assessed for their impact on the viability of live music venues as well as reducing alcohol-related violence.

The third point is to give live music the attention it deserves. As live music is a major feature of Melbourne's culture, protecting and promoting live music should be a key job for the arts and tourism ministers. Those ministers should create a forum where all parts of the live music community can be a sounding board for proposed changes to licence conditions.

The fourth point is to abandon the proposal to introduce 2.00 a.m. lockouts permanently. The state government has a proposal to introduce 2.00 a.m. lockouts before the Parliament. That bill is still on the notice paper. The Greens oppose this measure because the 2.00 a.m. lockouts trial simply did not work, but left people wandering the streets and made everyone less safe.

As Ms Lovell said in her contribution, people in the live music industry have met with the liquor licensing director who has only gone as far as saying that she would ease security conditions on venues on a case-by-case basis.

As Fair Go 4 Live Music is saying, the issue of linking live music with the security conditions is what is knocking off gigs around town and creating the cultural carnage. We agree. There should not be a link between the provision of live music and the need for security. The need for security should be based on the other risks that I mentioned before.

There is no proven link between the presence of music and violence. The regulatory impact statement for the liquor control reform regulations states at page 4:

In relation to other venue types, particularly those offering live and recorded music, limitations in the data ... prevented drawing any firm conclusions about whether they represent a risk factor. For this reason, they are not included in the proposed model as specific risk factors.

On page 22 it states:

The relationship between licences offering 'live and amplified music' and alcohol-related harm could not be adequately tested in the analysis of Victorian data due to data limitations ...

That is, there is no evidence that the presence of music per se is associated with violence.

The ability of the liquor licensing commissioner to impose special conditions on the basis of the presence of live music may be targeting small venues, particularly those which host live music during ordinary trading hours and pose little risk of violence but would not be able to afford security personnel and would not need security personnel in most instances. Most of those larger venues that do have the other risk factors — heavy consumption of alcohol and large numbers of patrons — do provide security as a matter of course anyway. They are not being affected by the requirement to have security linked with music because they fall into that category due to their other risk factors.

Ms Lovell talked about a grocer in Port Fairy whose licence fee had increased from \$249 to \$6330. As far as we know that is because of the particular way that grocery wishes to operate its business, so it falls into that particular category. In fact what has happened in that particular case is not a surprise.

Paragraph (5) of Ms Lovell's motion talks about increasing liquor licensing fees from \$15 million in 2009 to \$35.8 million in 2010 and states that this is a

burden on business. As Mr Leane outlined, it is a cost-recovery system and is meant to be a cost-recovery system, as many other licensing systems are, such as chemical licensing et cetera. Across all sorts of industries licensing fees are meant to be based on cost recovery, and I think Mr Leane makes a very good point, as does the World Health Organisation, that that should be the case. It was not the case in the past, and I think Mr Leane used a figure of \$380 million as the estimated cost per year of alcohol-related harm in Victoria.

Paragraph (6) of Ms Lovell's motion condemns the government for its failure to implement a genuinely risk-based licensing regime that provides for licensing fees and conditions appropriate to the venue and activity. As I said earlier, the system is meant to increase licences across the board for venues supplying alcohol, so that is not a surprise to anyone. There needs to be some discretion with some small tweaking to the system in terms of vigneron and those types of facilities that seem to have been caught unawares and have been classed as high risk when they are not really. However, to all intents and purposes the risk-based fees do correlate with the risk the venues pose. Ms Lovell said that if there were venues that were problematic and caused a lot of harm in the community, they should be punished. The system does allow for the compliance history to be taken into account in terms of licence fees. If there have been one to two paid infringements in the previous 12 months, there will be an increase in the fee of \$3180, and if there have been more than three paid infringements, there will be an increase in the fee of \$6360, so that in fact is in the system.

Even though Ms Lovell's motion picks up what we think are the two major issues, which are selling alcohol at markets early in morning and the linking of the presence of music with the requirement for security — which is actually not part of the liquor licensing regime that was brought in with the bill last year — apart from those it does not appear that the issues raised by Ms Lovell have resulted in a crisis; there is no crisis. They are the foreseeable results of increasing liquor licences across the board, and the reason for doing that is to reduce alcohol-related harm, and that is a good thing because that is what the evidence all around the world says is one of the most effective things to do.

Paragraph (7) of Ms Lovell's motion asks the government to scrap its unfair licensing system. We would not agree with it being scrapped, but we would agree with it being tweaked and refined in the areas where it seems to be mistargeted. I conclude with those few words.

Mr VOGELS (Western Victoria) — I want to make a few comments on the motion moved by Ms Lovell. I could stand up here and refer to what I said three or four or five months ago — whenever this bill was debated — and simply say, ‘We told you so’. At that time the arrogant minister and the arrogant Brumby government would not take any notice. Six months before that we had a gaming bill by which a lot of our country gaming poker machine venues were going to be hit with having to tender, which would have put a lot of them out of business. On that occasion the minister had to change his mind and change the legislation or regulations.

I read in today’s *Weekly Times* that the pub shout has been heard by this government. It did not hear it from members of Parliament who represent country Victoria. Its members would not listen but apparently now it is actually starting to sink in and they are wondering, ‘What have we done? We are going to destroy a lot of country pubs, vineyards, sporting clubs et cetera because of the ridiculous licensing fees that we are going to impose on these people’. Just from reading the newspaper — and we do not hear it in this house — I think the government is going to go to water on a lot of issues we raised, as I have as a country member of Parliament, about the effect this would have on country venues. I think that with an election coming up, the government is going to finally act on some of these issues.

I do not want to go over the motion, because we have done all that. I just want to give a few examples from my electorate of Western Victoria Region of how this has affected family businesses. Like Mr Hall, I am not going to name a lot of the people who have talked to me or written to me because they do not want to be referred to in *Hansard* as complaining about the liquor licence fee they are now facing. They do not want the liquor licensing authorities giving them a hard time because they have had the guts to come and front their local member and say, ‘This is a huge problem for us’ and have their name mentioned here and be on the record in *Hansard*.

The first small business I want to talk about is in Terang which is in my electorate. In a letter to me the owner said:

On 20 November I wrote to the liquor licensing authorities outlining the problem with the renewal of our wholesale or as it is now called pre-retail liquor licence. Given that the cost has risen approximately 400 per cent on last year’s figure, I would happily relinquish the licence were it not for stock on hand. I don’t want to become a lawbreaker, but we have two regular customers who are buying albeit in smallish quantities.

There is an attachment to this email which I will not go through. He says he has written to the minister but ‘we have not so far had a reply’. This business provides a service to people in Terang. Basically when the business gets rid of the stock it has on hand, it will no longer exist.

Northpoint Liquor in Warrnambool is a small family-owned business. It is a liquor barn that has been operating for more than 13 years without any incident, complaints or breaches of liquor laws. In 2008 its liquor licence fee was \$175.40; in 2009 it became \$249; but in 2010 — can members believe this? — it will increase by 2444 per cent to \$6360 while trading for exactly the same hours as it has in the past. The largest increase will be from a \$1590 licence fee to \$6360 for trading days in 2010 except for Good Friday and Christmas Day, because for the first time the business will have to pay more for opening on Good Friday and Christmas Day. Apparently that puts it into a whole new ballpark.

The liquor barn now has to pay an extra \$4770 because it will be open on those two days of the year. How unfair is that! That is probably the only time in the whole year when big stores like Safeway supermarkets are not open. It should be good business for small operators on Good Friday and Christmas Day because the big retailers are not open. Here we have two days of the year where the liquor barn has an opportunity to sell probably more liquor than it normally does because supermarkets like Coles and Safeway are not open. This business is on its own; it is a small family business. It is going to be slugged an extra \$4770. That is absolutely outrageous.

I have a letter that mentions Rod from Barrett’s winery. It says:

Rod from Barrett’s winery advises that the limited licence for a winery to sell their wines at a farmers’ market has only increased with the CPI, i.e., about \$1 to \$2 per year, current cost at \$26.90 for off-premises selling. He was not really concerned about this.

However, his main concern is with the general liquor licence which over the past three years has increased 200 per cent, i.e., three years ago it was approximately \$140, then increased to approximately \$200, and now costs \$396. He stated this hurts the small players like private wineries such as Barrett’s and says the smaller wineries are already trying to compete against the big companies in a very competitive market — so a 200 per cent increase does hurt them.

Of course it would hurt. This legislation is supposed to be about taking violence, including alcohol-induced violence, off our streets. So far none of the police have ever been called to attend the smaller businesses, including Barrett’s winery and Northpoint Liquor, that I

know of in my electorate because of alcohol-induced violence.

I have a letter from Warrnambool Field and Game which says:

Following discussion on changes to liquor licensing fees whereby licence renewal will increase by 327 per cent from \$93 to \$397 it was resolved on the motion of ... seconded ... to renew the licence —

because they want to have a licence. As a result Warrnambool Field and Game is going to increase the cost of a can of alcohol by 50 cents. For God's sake, this is at Warrnambool Field and Game! Thanks to this government people who go to enjoy a day at Warrnambool Field and Game will now have to pay an extra 50 cents a can so Warrnambool Field and Game can pay this government part of the \$15 million that the government raises through liquor licensing fees. That will now more than double: \$36 million will be raised. I do not think this has ever been thought through.

Port Fairy Cricket Club is another club that will be affected. The club says the fees will cause it hardship. I am not going to read all of the letter the club has sent, but these clubs have to consider whether they will serve any alcohol after the boys have had a game of cricket.

I could go on and quote examples from right across the Western Victoria Region. This government is basically treating small family businesses in the same way as a nightclub in King Street. Nobody disagrees that in the Melbourne CBD (central business district), in some of these huge nightclubs on King Street or in the western end of the CBD, there are lots of problems that are caused by alcohol. Action needs to be taken, but you do not take action which is going to crucify lots of the small country alcohol outlets, family businesses, restaurants, cricket clubs and golf clubs in our regions. It is absolutely ludicrous.

I think the government will see sense and revisit legislation it passed three months ago. I should stand up in this place and say, 'We told you so', but only those members of the Liberal Party and The Nationals representing country electorates can hold their heads up high and say, 'We told you so'. The Labor members who represent country Victoria sat there absolutely dumb and said absolutely nothing. It is a credit to the organisations that represent small businesses in country Victoria that they have been able to get into the government's ear. Hopefully the government has seen the error of its ways and will revisit some of these issues. For many communities it will be too late, because once a small outlet or a small country pub is closed it does not come back.

Being a country boy and growing up in country Victoria, I love going to my local watering hole. Unlike many people in the city, at this time of year we work until dark, and that it is usually until 9 o'clock or 10 o'clock. On a night like tonight we would have been busy and would have then gone to our local pub — the Boggy Creek Pub, the Timboon Pub, the Port Campbell pub or whatever, and I can name heaps of others — to enjoy a few beers with our mates.

To be honest, I do not recall the cops ever having to get involved to break up violence in country Victoria. I have no doubt that in some of the regional centres I represent — in Geelong or Ballarat — there may sometimes be a problem. However, that is why this legislation should differentiate between types of venues. It should not have been all that hard to do. After all, this government employs — I do not know — 100 000 to 200 000 bureaucrats. You would think that among all of them it should have been possible to sit down and work out a bill which would cater for all needs.

We all agree alcohol-fuelled violence is a scourge on our society today, especially in the central business district and probably in some of the suburbs of Melbourne. I am talking about my electorate of Western Victoria Region and the impact it is having on the community I represent. It is outrageous. The government has picked up on this, although it will not tell us anything in this place and will probably vote against this motion. At the end of the day we know from reading the spin in the local papers that the government will act and probably change the liquor licensing laws, which will allow a lot of our smaller family-owned and operated businesses to keep trading. However, as I said, some of them have already closed and will not be back, and that is an indictment of this government. I support the motion before the house.

Mrs PEULICH (South Eastern Metropolitan) — I also join in supporting the motion moved by Ms Lovell. I will read parts of it because it is important that liquor licence-holders across the South Eastern Metropolitan Region, to whom I wrote about the legislation before it was introduced in this house, understand where the opposition parties stand on the current regime. It is punitive; it is anti-small business and has nothing to do with a risk-based regime. It is anti-live music venues; it is anti-young people; and it is yet another bungle akin to the 2 o'clock lockout.

A lot of it stems from the perpetual single-minded attitude and arrogance of this government. We have seen an attempt to ameliorate this arrogance with the introduction of the new Minister for the Respect

Agenda. It is all to conceal the one Achilles heel, the most serious Achilles heel of this government, and that is its arrogance — its inability to listen to people and consult genuinely with people who are impacted by legislation and reforms passed by this government.

As a small business person and one who values the importance of free enterprise and the private sector, which is the engine room of our economy and our community, I am very sad about where many of these small businesses have been brought as a result of these bungles. Similarly, bungles in the gaming industry owing to the absolute incompetence of this minister and this government will force many hoteliers out of business.

The motion reads as follows:

That this house —

- (1) notes the hardship caused to many social, sporting and community clubs, small licensed grocers and bottle shops, live music venues, smaller pubs, vigneron and other licensed venues as a consequence of the Brumby government's unfair liquor licensing regime;
- (2) notes the Brumby government's unfair liquor licensing regime directly threatens the future of Victoria's live music scene as demonstrated by the closure of iconic live music venue the Tote Hotel in Collingwood with the consequential loss of opportunities for musicians and the loss of jobs for full-time and part-time staff;
- (3) notes that uniform licensing conditions requiring security staff to be engaged at licensed venues featuring live or amplified music are making the performance of live music at some low-risk venues financially unviable with serious consequences for Victoria's music industry;
- (4) notes the unfair fee increases which have seen the liquor licence fee for a small grocer in Port Fairy increase from \$249 to \$6330, and the liquor licence fees for many small licensed grocers and bottle shops exceed those payable by large liquor supermarkets, and many smaller, family-owned pubs with no adverse compliance history being required to pay fee increases of thousands of dollars;
- (5) notes the Brumby government's statement that despite increasing liquor licensing fees from \$15 million in 2009 to \$35.8 million in 2010 'The proposed risk-based renewal fees are not considered a burden on businesses';
- (6) condemns the Brumby government for its failure to implement a genuinely risk-based liquor licensing regime that provides for licensing fees and conditions appropriate to the venue and activity; and
- (7) calls on the Brumby government to immediately scrap its unfair liquor licensing regime in favour of a system that is both fair and genuinely risk based.

It is a very comprehensive motion and I wholeheartedly endorse it. The most telling part is the view expressed

by the Brumby government that these fee increases are not considered to be a burden on business. It shows an absolutely callous disregard of small business and community organisations, and the government's failure to understand the pressures of Labor's policies on the viability of Victoria's businesses and the security of the jobs of those people who are employed by them.

The fee increases have cost and are costing jobs and are destroying small businesses throughout the state. In order to reduce the hikes, businesses are reducing the number of hours or days that they operate. And that is not what small business is about. Small business is usually about growing a business, not being forced as a result of these misguided, ridiculously bungled reforms to actually constrain a business. This clearly shows that the government is totally out of touch, especially in the low-risk areas in the suburbs where there has never been an issue of risk.

The government has been warned and it has ignored that warning. It is an unfair structure. Many businesses have claimed privately to me that they will have to make the serious choice between choosing to close down, which some businesses have already done, sacking employees or reducing the hours of operation. We have heard that the owner of the Malvern Hotel has talked about having to reduce the hours available to casual staff and sacrificing the sponsorship of minor community groups.

Lindsay Coster of the Doveton Tennis Club, which is in my region, said that the proposed fees represent more than the net profit made by many tennis clubs and would place severe financial and social pressure on clubs, casting further doubts on the ability of some to survive.

A local business owner in Mordialloc has said that they will not vote Labor in the next state election, having been a Labor voter all their life, because John Brumby has destroyed the beautiful state of Victoria, a state they were once proud to live in.

The owners of a cafe in Braeside have said that the impact the fees will have on their business will be devastating. They hope that voters will wake up to themselves before more small businesses like theirs go bust.

The owner of the Bridge Hotel in Mordialloc, a very well-respected establishment, said he wished to strongly object to the proposed increase in licence fees for hotels as it discriminates against those licensees who are managing their businesses in a proper manner. He is being asked to pay for the damage and mayhem

caused by nightclub management which has no regard for the responsible service of alcohol or the concerns of the community at large. He goes on to say there is no impost on the supermarket chains that discount liquor below cost price. Young people consume cheap alcohol from those stores prior to heading off to venues like the Bridge Hotel, thus causing venues to incur huge security costs. Last year the hotel spent \$192 000 on security, mainly to prevent inebriated persons entering the premises. The Bridge Hotel already pays enormous taxes. Fifty per cent of its revenue is derived from food sales. It has never incurred a fine, and it monitors its customers carefully.

I have also been contacted by Sam Castello of Castello's Hotel Group. Sam is a very well-respected member of the local communities in which his businesses are located. He generates a lot of fundraising activities through which a lot of money is dispersed to non-profit clubs, various volunteer organisations and sporting clubs through the local governments, which are supportive of local fundraising initiatives.

Sam Castello, who is a wonderful patron of those local communities, says that he will have to pull his support out of the various organisations he has worked with in the past. Instead of supporting his local organisations, money will now be directed right into the pockets of John Brumby, John Lenders and the state Labor government. This is the effect: money will be bypassing those who have been the beneficiaries of those funds and going straight into the Labor government's coffers.

The shadow Minister for Consumer Affairs and member for Malvern in the Assembly, Michael O'Brien, has done a wonderful job with Ted Baillieu, the Leader of the Opposition there, in developing an alternative, genuine risk-based regime. Many people have wholeheartedly endorsed that regime because it genuinely recognises the good operators and distinguishes them from those who are shonky or perhaps need to lift their game.

The failure to consult with local businesses and small businesses has punished business owners and has cost jobs. The impact on the live music scene following the decimation of hotels after the takeover by the pokies is a very sad event for Victoria, for those young people who are trying to break into the music industry and for those who enjoy the entertainment that is provided by live venues. How many music venues will be killed off is an interesting question that this government needs to answer. How many workers will lose their jobs? How many small businesses will have to close before the Brumby government listens? Live music venues are already under pressure, as I said before, thanks to other

regulations which would force a pub with 30 senior citizens listening to a banjo on a Sunday to employ two security guards at the door. That is an absolute farce — that a senior citizens centre where people are listening to a banjo on a Sunday would need to employ two security staff. I do not know about the seniors in other members' areas but in my area they are usually pretty tame. They might be passionate about community affairs, but they are not violent.

Not only will Victoria's live music scene be closing down but local cafes that have the convenience of serving alcohol are also facing pressure. The local community and independent grocery stores throughout the state are suffering and large hoteliers are facing up to 600 per cent increases in bills from 1 January. Mind you, 1 January was also when other imposts and taxes, such as the deposit for being able to enter into the auctions for gaming machines, were due to come into effect. Talk about a double whammy. Unfortunately this government seems to have a callous disregard for all those who have been impacted by this misguided, bungled attempt to come to grips with a fairly important problem.

It is an unfair structure. There are some small details that could have been worked out to perhaps make the regime a little bit more effective, notwithstanding the fee increases, if the government had spoken to people on the ground. I am told by venue operators and people who are involved in the night-life scene that, for example, inspectors vary rules, or the rules vary from inspector to inspector. When inspectors change sometimes the rules change. The inspectors tend to be the top cops in each area and become quite parochial, often wanting to chase night-life out of their patch so that they have less work to do.

Planning and where venues are located is an issue. I will not go into it great depth. Four hundred to 800 patrons appears to be mooted as a favourable size. Inconsistency in policing is also a frustration. Sometimes police ignore someone who may have passed out and impose no penalty and at another time someone will be stung with a big fine. Education and the whole effect of this government's social policies on our young people need to be looked at. The delicensing requirements of unlicensed under-age clubs has been quite a serious concern. Prices for young drinkers who are conscious of budgets mean they load up before they go to a venue. The smaller bars which are focused on drinking and not entertainment get off lightly by comparison with clubs. Most clubs are operated by small businesses. A \$40 000 increase in fees makes a big difference to those families. They are not super-rich operators.

There are many issues affecting those operators and other people in industry. The policy is madness, it is misguided and it is a bungle. I urge the government to reverse its regime and save those businesses from the death knell.

Mr KAVANAGH (Western Victoria) — Although Ms Lovell's motion contains the phrase 'condemns the Brumby government', I will support it. Like many other members here I am very concerned about the effects of these fees on smaller venues, especially in Western Victoria Region.

It has been noted that in Australia there are relatively few centres of social life. Those centres we do have certainly include hotels. The relative paucity of social centres is another reason why the hotels, pubs and other venues that do exist should be preserved and protected, not only because of the social interaction opportunities that such places provide but even because the buildings themselves often add a lot architecturally to Australian towns. Traditionally and typically an Australian town would have a beautiful post office. We do have a lot of beautiful post offices throughout Australia, including in Victoria. We have great bank buildings, beautiful churches, perhaps in some cases beautiful railway stations and schools — and very often very beautiful pubs. These are assets to communities and they should be retained, not only for the social options they provide but as architectural landmarks in their own right.

Young people especially want places to congregate and have fun. We probably did that when we were young, most of us. Some of us still do. We may not have always used those opportunities where there was an availability of alcohol very wisely — perhaps we grew up a bit through experiences that were not always pleasant and our swearing never to do that again. Perhaps that is part of growing up too.

The concentration of commercial power that Mrs Peulich referred to is a disturbing long-term trend throughout Australia and not just in the hotel industry. It is shown in the hotel or liquor industry by the dominance of a few huge players. During the dinner break a member was telling me that he has a friend who runs a liquor store. That friend buys his liquor from another retailer. It is cheaper for him to buy his liquor from one of the big powerful retailers than it is to buy it from a wholesaler, because the wholesalers discriminate in favour of the big chains.

That unfortunate tendency is not restricted to the liquor industry. It is obviously a tendency in hardware and groceries and in just about every part of the retail industry in Australia. Unfortunately the licence fee

structure we are debating tonight accentuates the problem; it adds to it by forming a relatively large burden on those less able to afford them.

I was impressed by the contributions from both Mr Hall and Mr Vogels tonight. I thought they both said a lot of great things, pointing out, as Mr Hall did, that often a liquor retailer may be the only retailer in a town at night. When you think about it that is a very important thing: to be in a small town and to have somewhere to go to buy at least something is so much better than not having any options at all. Mr Vogels spoke with great passion in sticking up for his constituents, although hearing both him and Mr Hall commenting to similar effect was a bit strange. I think Mr Hall referred to 'The ALP, the Greens and others who voted last time against the coalition'. I do not know who the others could have been.

Ms Lovell — We don't either.

Mr KAVANAGH — Mr Vogels said, 'Only the coalition voted against the bill'. Apart from those inaccuracies, both gentlemen spoke against the regime. Mr Hall's conclusion was extremely appropriate. Nobody objects to liquor licensing fees that fairly reflect the real security risks of a venue. What we object to is liquor licensing fees that discriminate against smaller venues and that impose an excessive burden on many smaller venues throughout Victoria, to the point that some of them are facing the prospect of going out of business.

It should be noted, as Mr Vogels emphasised, that in the many small towns of western Victoria in particular the risk from licensed venues is very low.

Mrs PETROVICH (Northern Victoria) — I also commend Ms Lovell's motion condemning this insidious change to the fee structure for liquor licensing venues. Once again the government has failed to recognise diversity in businesses and in their locations and usages, and it has inflicted this inappropriate grab for cash on businesses which have in most cases been operating in a safe and responsible way. We need to acknowledge that these facilities provide jobs, but they also provide services and entertainment to hundreds of communities that are outside the King Street or central business district (CBD) precinct. Unfortunately the businesses that do not operate under those parameters are now wearing the consequences of this Labor government's handing out liquor licences willy-nilly with no checks on opening hours and security.

Once again the government has come up with a one-size-fits-all solution to a problem of its own

creation. As predicted by our shadow Minister for Consumer Affairs in the other place, Michael O'Brien, the fees will cripple many country communities, their clubs and small businesses. Country pubs, licensed supermarkets, grocery stores, footy clubs and other sporting organisations are now paying the price with their businesses because the Premier John Brumby has failed to clean up the CBD and King Street.

The impact on businesses, particularly those in the country, will be job losses, business closures and less participation and sponsorship by sporting clubs and also organisations such as our Returned and Services Leagues. This has not been properly thought through, or maybe this government's thirst for revenue overrides any other consideration. It is its prevailing motivation. Considering the Brumby Labor government has just appointed a respect portfolio, its lack of consideration for all members of the Victorian community once again demonstrates its short-sighted approach to managing the state.

We have examples of licensed grocers and small businesses whose fees have increased from \$249 to \$6330, which is an increase of 2500 per cent. This \$20 million fee hike will hit thousands of not-for-profit sporting and community clubs right across Victoria, and it will affect the fundraising capacity of many country clubs and associations. It will cost jobs in Victoria.

Country pubs, licensed grocers, RSLs and footy clubs will pay massive fee increases because our Premier has failed to clean up the CBD. We have violent crime at record levels and an incredibly low police presence, and other people are now going to have to pay the price for that.

Despite the claim from the Minister for Consumer Affairs, Tony Robinson, that the government makes absolutely no apologies, we have seen the Minister for Housing, Richard Wynne, horrified by the outcomes of this measure. He has obviously shown a little bit of insight into some of the problems and has spoken out against this regime. He has been pushing for amendments to the laws that have caused problems to such iconic places as the Tote Hotel, the closure of which resulted in 18 job losses. Despite Mr Brumby's and Mr Robinson's arrogant denials, the changes have been disastrous. To his credit Mr Wynne has broken ranks. We have seen that before during the debate on the growth areas infrastructure contribution. The members for Yan Yean and Seymour in the other place, Ms Green and Mr Hardman, know this government is making bad choices for its communities. It is not listening. It is very arrogant, and quite frankly it shows

no respect for the communities these people have been elected to represent.

This is not a government of small business. It hates small business and it hates private enterprise. Surprisingly, it must hate sporting clubs and RSLs. It hates live music venues, wineries and bed and breakfasts. In fact it hates any business or group. This is just a grab for cash. During the wrecking of the Victorian College of the Arts no regard was given to talented youth or to giving performers the start that is required to kick off their careers.

Yesterday I heard from a small business owner, who owns a bar in Bendigo and who supports live music. He said his licence fee has increased by around 450 per cent. I have also had some correspondence from our Liberal candidate who is seeking election in Bendigo West, Anita Donlon. She is a band manager and she knows firsthand the impact of this issue on live music venues, and in stark contrast to the Minister for Police and Emergency Services, Bob Cameron, who is the member for Bendigo West, she supports youth, she supports bands and live music in venues, and she supports them in Bendigo, Castlemaine, Maldon and Bendigo West. She supports business. If Mr Cameron were serious about supporting the venues in his electorate, he would be speaking out now.

In correspondence the president of the Victorian Rural Musicians Association, Andrew McGee, expressed concerns about the viability of country pubs and live music. He highlighted issues for places in my electorate, the Northern Victoria Region, regarding the employment of security guards. He interviewed a number of publicans, and the issue for them is that when they have live music they have to employ security guards. In places like Nagambie, with a population of 1920, on Saturday nights you might have 15 or 20 locals in the bar. They come to watch music and enjoy the hub that is a rural pub in Victoria. Because of this licensing issue these venues would be paying an extra \$500 or \$600 in security fees, and that will well and truly put them out of the race. In Longwood, which has a population of 155, the White Hart Hotel was told it would need security guards, and that is probably the end of live music there. They had a bit of a laugh about that, because it has been a very peaceful environment and has created a good opportunity for people to get together and have a social hub.

I can remember a young lass called Ella Hooper, a rural girl from Violet Town in Victoria, who probably got her start in a live music venue. She has won an Australian Recording Industry Association award and

has had five times platinum CD sales. She got her start in a country pub, and if that had not been available to her we might not even know about her, we might not be able to promote that sort of talent. We need to nurture young talent and up and coming artists, and this sort of ridiculous impost on business is prohibitive.

We all want to make sure that harm minimisation is supported; we want to make sure that we have safe venues. But it is horses for courses; it is not one size fits all. Many of the venues I have talked about have gone from no risk to low risk, which means additional cost in insurance, administration and overhead. When you increase overhead in small business, that spells death. There is a lot of rhetoric about the effect of the global financial crisis on what has happened to this state, and it seems a poor approach to growing small business, fostering healthy communities and supporting our arts community to impose this sort of terror on those venues. This motion highlights what communities know and what this government continues to do. These fees are unfair, no good, bad for business and one size fits all.

When I talk about rural RSLs, I talk about my local RSL in Woodend. People need to acknowledge that RSLs are completely volunteer run. My local RSL has 60 members, and I would like to commend them for their great effort. Completely self-funded and run by volunteers, this small RSL was recently threatened with closure because of an unsafe roof. The day was saved by an anonymous donor, and they have re-roofed their little RSL, which is great. It does not have poker machines and it does not want them. Woodend is proud to be pokie free.

Every year approximately 8000 people attend the dawn service at Mount Macedon, which is organised by the Woodend RSL assisted by people from the State Emergency Service, the Country Fire Authority, Scouts Australia and Girl Guides Australia; ambulance, police, army, navy and air force personnel; and Braemar College cadets. The RSL also runs a Woodend service and breakfast. To do this it needs to fundraise to buy the badges it sells, and it does not receive any money from ANZAC House. The RSL also looks after the veterans in the area and does a very good job. At the club it runs a bar, as do most RSLs, for its membership. The club has been paying \$200 for its liquor licence but is now required to pay \$795 for the same licence, an increase of \$595. This will mean either it will have to fundraise harder or something will have to go. On behalf of those community groups, RSLs, clubs, pubs and wineries I ask all members of the house to support Ms Lovell's motion.

Mr DRUM (Northern Victoria) — It is with pleasure that I rise to talk on the liquor licensing motion put forward by Ms Lovell. The government has now had three goes at this. Members for regional Victoria were shaking their heads when the first tranche of increased fees was put forward, because we could quite clearly see what the consequences of these new liquor licensing fees would be in a practical sense and how they were going to impact on the viability of many of our hotels, clubs, restaurants and liquor outlets throughout regional Victoria. We knew some of these outlets were just going along on a week-to-week basis; they were certainly not in such a strong financial state that they could have 400, 500 and 600 per cent increases in their liquor licensing fees without that having a significant impact on their profitability.

The government has had three goes at this and still the Minister for Consumer Affairs, Tony Robinson, who seems to be a hell of a nice guy, continually seems to make a bit of a mess of his legislation.

Mr Atkinson interjected.

Mr DRUM — It is bewildering to think about what sort of assistance he must be getting, Mr Atkinson, because it is absolutely staggering that a seemingly decent fellow could make such a mess of every piece of legislation that comes his way. I wish I could get hold of his advisers and put them on a one-way trip to somewhere a long way away so that we would not have to deal with any more of this rubbish as it comes —

Mr Kavanagh interjected.

Mr DRUM — Further away than that, Mr Kavanagh. Even though we have had three goes at this, the minister is still saying openly that we may have to have many more goes to get it right because this type of legislation needs continual tinkering with. I disagree with that totally. The reason the government has had so much trouble with this issue — it has initially underreacted, then it has overreacted; it has backed away and then hit back again — is because it has not drawn the link between venues that are creating the problem and the increase in liquor licensing fees. Initially the government just tried to link violence to capacity and late opening hours. We know some of the poker machine venues open from 7.00 a.m. until 4.00 a.m. the next morning. Those are ridiculously long hours, but there is no correlation between them and violence.

Is there a correlation between violence and capacity? Many country hotels have been caught up in this. I have a list as long as my arm of particular venues that have

been caught up. If a big country pub has a huge beer garden out the back that fills up four or five times a year, is there any link between the venue's capacity and the number of incidents it has that involve the police or where the police are called to adjudicate on a violent act or an assault? Late-night opening hours do not necessarily lead to violence and capacity does not necessarily lead to it, so what is it?

Why does the liquor licensing director not actually start talking to the police in the various regions that the government wants this to impact on? They could fix this up in 10 minutes. The police in Bendigo can tell anybody, if they are asked, where the problem venues are. The police in Ballarat can tell anybody who would like to ask them where the problem venues are. I am sure the police in the CBD (central business district) of Melbourne could tell the liquor licensing director where the problem venues are.

If this government wants to tell us that this is a risk-based licensing fee, why do the government and the liquor licensing director, Sue Maclellan, not talk to the police and find out which venues create 70 per cent or 80 per cent of the problems and penalise those venues which have a known record of producing the drunks on the street? The police can simply tell you if you want to ask, but it seems the government is too scared to ask. It wants to dance around the question and to generalise the categories.

The government is doing this not so that it can catch the respective venues that generate the issues and incidents, but because it wants to make sure it catches a whole cohort of like venues so it can sting the people of Wangaratta, Shepparton, Bendigo and Swan Hill who have venues that fit the various criteria. It wants to be able to say that this venue in Wangaratta meets the same criteria as that problem venue in the CBD of Melbourne or that problem venue in Bendigo. It will not catch just the problem venues; it will catch every venue that fits into the cohort or category.

This is a deceitful tax aimed at fixing problems in Melbourne's CBD. In Bendigo we have 81 fewer police than we are supposed to have. Victoria Police has a model that says that a certain size population should have certain policing numbers. Here we have a Victorian Labor government law requiring all our licensees to contribute 200 per cent, 300 per cent and 400 per cent increases so that Melbourne can effectively fix its nightclub and night-time violence issues. What about Bendigo's problems? If the government is going to hit the licensed premises of Bendigo, would we not like to have a little bit of an increased police presence in that city? I would think so.

Mr Hall — Governing for all Victorians!

Mr DRUM — This mob is good at saying the right things, Mr Hall, about governing for all Victorians, but unfortunately when push comes to shove it tends to govern for where the votes are. At this stage the votes are for being seen to be doing something about the alcohol-fuelled violence in the CBD.

I will wind up as soon as I can because I appreciate we have a busy schedule today. The government needs to open up and confess that we do not have just an alcohol-fuelled violence issue but an alcohol and drug-fuelled violence issue. Until the government is prepared to come clean with the people of Victoria and start referring to the alcohol and drug violence we have in this state, then it will continually use this to make sure the perception cast out to all of Victoria is that it is purely an alcohol problem and that therefore we will hit the alcohol servers and alcohol industry.

This government has to face up to where the real problems lie with so many of these issues. Until it does so, there will be typical head in the sand stuff: it will throw another tax on board, it will get more money, and it will spend more money and waste it, and it will have fewer police on the beat. It will do the spin job and the snow job on the public and hope like hell that at the end of the day it is re-elected and has four more years. I do not think Victoria can put up with four more years of this government.

Mrs KRONBERG (Eastern Metropolitan) — I rise to support Ms Lovell's motion with a considerable amount of enthusiasm because it is really important. Here again the opposition is providing a service to the government.

Just to pick up on Mr Drum's comments when he said this government has its head in the sand, we are hoping to extract that head from the sand and shine the light on ironic issues that have developed. This is actually a sort of circular problem, and I am looking to the government to break the nexus that continues to create the problem. It is ironic that a lot of the violence in city clubs, which is the originating purpose for responses such as this one by the government — that is, violence that is concentrated in the city and precincts immediately around the central business district — is directly tied to the fact that when outer suburban venues were converted to pokies venues they actually lost patronage as music venues. That change of format, footprint and the template of those licensed outlets and places of gathering in suburban, regional and country areas has ironically aided the concentration of violence in the central business district.

Through this motion the opposition is asking the government to break this cycle — this nexus. This is an opportunity to review the taxing regime of small business and allow it to be ameliorated by bolstering the effort to provide entertainment and venues to people in places other than the central business district. It is good that the Treasurer is in the chamber, because I know he will follow my logic, and I hope he will take these points on board.

Basically the risk-based assessment system, which is an additional \$10 million tax grab, is setting out to destroy small business. How can a government that is reliant upon the viability of small business for its basic tax grab and the employment of Victorians set out to destroy them with such alacrity? It defies logic.

I have to shine the light on the fact that this government is ill at ease in dealing with any interface with the business community, be they small, medium-sized or large-scale businesses, international business operators, multinationals or transnationals. This is a gormless, hapless, hopeless government in its interface with business, and here is a strident example of the government not seeing the burden it is putting on clubs, Returned and Services League clubs, bed and breakfast operations, licensed grocers, bottle shops and all of those sorts of people. This tax burden is being added to land tax and all the other compliance burdens and red tape that have been inflicted by this government on business operators. Wow! Here is yet another burden. Sometimes it is an issue such as this that proves to be the bridge too far. Such an issue can be the straw that breaks the camel's back. This is the reason entities are folding, and it has to be said that it is such a great pity to lose a venue such as the Tote Hotel, which is an iconic music venue.

Throughout the length and breadth of my electorate I know that business operators are going to be looking for relief from this government. They will want government members to realise that they have been ill advised, are out of their depth and out of their comfort zone. This is a poor decision. The \$20 million extra will not compensate for the loss of businesses in this state and employment opportunities for Victorians. I fulsomely commend this motion to the house and hope it gets the support it deserves.

Mr ATKINSON (Eastern Metropolitan) — This house has indicated support from all sides towards a risk-based assessment scheme as part of the liquor licensing program in Victoria because it has recognised that alcohol can be harmful and it is necessary to regulate the industry associated with the distribution of alcohol. That has been recognised for many years, and

it is appropriate to consider the risk elements in terms of that distribution chain. The problem is that this government has got it wrong — absolutely, totally 100 per cent wrong — in terms of its risk assessment.

Why do I say that? How can you possibly claim you have got a risk-based assessment when you have a low fee of \$769 for a drive-through bottle shop at a hotel which is likely to attract young patrons who cause trouble with their indiscriminate and inappropriate use of alcohol, and then you go and slug a small supermarket more than twice that amount? If such a small supermarket happens to be in a tourist town and trading on Good Friday or Christmas Day, then the fee is over \$6000 simply because they are providing a service to the community on those two days. Of course if they trade beyond the core hours which the government suggests are the appropriate trading hours for the liquor licensing regime, then they also meet that much higher figure.

The reality is that this government has got it wrong, and the liquor licensing commissioner ought to start having a serious look at the way we go about approving liquor licences in Victoria and at the approach we have in terms of fairness and any semblance of reality in terms of risk management.

If you are Mr Woolworths or Mr Coles, it is a hell of a lot easier to get a liquor licence in this state than it is if you are Mr Small Supermarket or Mr Corner Store, and yet those stores run by Woolworths — the Dan Murphy stores — and the 1st Choice stores run by Coles account for a massive amount of the liquor sales in Victoria. In fact the 350 outlets that those two companies run in Victoria generate 60 per cent of the sales of liquor products in this state — 60 per cent from 350 stores. The independents, who make up 82 per cent of licensees — 1584 independent liquor retailers — obviously account for only 40 per cent of sales, and yet when it comes to the regime that this government has put in place for liquor licensing they pay \$2.5 million in fees at the rate of \$1590. As I have said, if they happen to be trading outside those core hours or in tourist towns where they providing a service on certain prescribed public holidays, then the licensing fee jumps to over \$6000 anyway.

The major chains with those 350 stores pay only \$540 000 in liquor licensing fees, despite the fact that those are the very stores that drive the pricing imperatives that encourage more and more people to use alcohol in an inappropriate way. They are the ones who drive the discounting and they are ones who drive the promotions, and yet they are the ones that can get a

liquor licence if they walk in off the street to Responsible Alcohol Victoria.

There is a big difference between a situation where Responsible Alcohol Victoria comes along and says, 'Yes, you can have another Dan Murphy store', and a situation where the same body says to a small independent supermarket, 'Yes, you can have 30 feet of liquor products in your store'. There is a very big difference between those two scenarios, and a very big difference in the implications they have for the drinking behaviour of so many people in this state, particularly young people to whom we have to get some messages.

This whole regime is flawed in the context also of what it has done with live music venues. Melbourne used to be the centre of the live music industry. Thinking back over many years, how many successful Australian artists got their starts in local hotels and venues in this state? This sort of licensing regime is starting to threaten the viability of what is left of that live entertainment venue network.

Other speakers spoke about the impact on wineries, and we have heard about the impact on markets and events. Many organisations attend and support community events and have been able to distribute liquor in very small quantities as part of those events. Now they face a situation in which their opportunities to do so are reduced under this regime.

This government has taken a one-size-fits-all attitude to this, and I dare say that there is a big difference between the guys who play the fiddle at the Cuckoo Restaurant and some live rock band at the Ferntree Gully Hotel, and yet they are both expected to comply with a range of requirements, including such things as security. Obviously there are significant implications in the amount of money that they are required to cough up for licences.

A number of people have made some very good points about that in this debate. I do not want to reiterate those points. I simply want to come back to the fact that the chains — the Dan Murphy stores and 1st Choice — which dominate retail liquor sales in this state are being given a very unfair advantage over independent liquor stores. It is to the detriment of our community, because through the sheer volume of their sales, through their marketing and through the locations they have established, they are responsible, if there is any responsibility to be ascribed to retail bottle shops. They are the ones who ought to be picking up a greater proportion of the risk cost associated with alcohol distribution.

It is outrageous to me that the Dan Murphy's store in Alphington, which has been Victoria's, and I think is close to Australia's, top liquor outlet for many years, trades with sales well over \$250 000 a week on a \$790 licence fee. Yet the little independent supermarket within 2 kilometres of that store will be paying \$1590 and its sales are likely to be more like \$20 000 a week, not \$250 000 a week. If you look at a premises in my electorate such as the Burvale Hotel in Burwood East — or Vermont South as I would describe it — you see that Dan Murphy's has a liquor barn there; it has taken over the bottle shop. It also trades under a general licence fee of \$790 yet it is a high-volume store. It trades at a cheaper price than any small independent supermarket.

As Master Grocers Australia has tried to convey to the minister, the drive-through bottle shop outlets are much higher risk outlets in terms of alcohol distribution than any independent supermarket or indeed even the chain supermarkets for that matter. They certainly have a much greater share of the market in terms of 18 to 25-year-olds.

Unless the government is prepared to address those sorts of inequities, it does not have a risk-based system. It simply has a tax collection system that is out of all proportion in terms of its fairness and how blunt an instrument it is which affects small businesses in a way that will deliver no gain in terms of addressing harm minimisation related to alcohol and violence in areas such as the King Street nightclub strip.

The police ought to have been active in this area without the government having to go to the extent of setting up a brand-new inspectorate, as it did last year, supported by this revenue stream from these increased licence fees. Even beyond that inspectorate this government has income from this licence regime which is far in excess of what is warranted, particularly when there are so many inequities in the system.

This opposition warned about these sorts of issues when the enabling bill came before the Parliament. It is a pity the Greens did not understand the impact on small business. Even tonight they seemed not to believe that the impact on small business was of great consequence. I note the Greens were concerned about what might be happening in markets, presumably because they shop in markets. However, I suggest to them that the impact on small business is every bit as significant. The real issues here are inequity and that this is not a fair dinkum risk-based system.

Ms LOVELL (Northern Victoria) — I would like to thank everyone who has contributed to this debate

tonight. The coalition members have shown that they have an understanding of the issue and that they are in touch with their communities and the small businesses within those communities that are being punished because the Premier failed to address the issue of violence in Melbourne's King Street nightclub strip.

The government had no defence to this motion before the house tonight. In fact it put up only one speaker, and that speaker showed he had no understanding of the issue. He tried to argue that the opposition was arguing that small packaged liquor outlets such as family-owned grocers should not be regulated. They are regulated now — that might be news to Mr Leane — and the opposition believes they should be regulated.

These people are happy to pay licence fees, but they should not be penalised by huge fee increases that have them paying the same fees as or higher than some of the large liquor super-barns pay. Small pubs and restaurants should not be paying the same fees as Melbourne's nightclubs.

The scheme the government has put forward for liquor licensing has not been a risk-based scheme. The small venues — the small country pubs, the mum and dad grocery stores, the small restaurants, the bed and breakfasts, the florists, the small clubs, the community clubs, the bowling clubs et cetera — are being punished because John Brumby failed to clean up the violence in the Melbourne nightclub strip.

Nobody argues with a true risk-based licence fee structure, but this one is just about revenue raising, and the Brumby government is raising revenue to fund pork-barrelling for an election campaign later in the year.

House divided on motion:

Ayes, 17

Atkinson, Mr	Kavanagh, Mr
Coote, Mrs (<i>Teller</i>)	Koch, Mr
Dalla-Riva, Mr	Kronberg, Mrs
Davis, Mr D.	Lovell, Ms
Davis, Mr P.	O'Donohue, Mr
Drum, Mr (<i>Teller</i>)	Petrovich, Mrs
Finn, Mr	Peulich, Mrs
Guy, Mr	Rich-Phillips, Mr
Hall, Mr	

Noes, 18

Broad, Ms	Pakula, Mr
Eideh, Mr	Pulford, Ms
Elasmar, Mr	Scheffer, Mr
Huppert, Ms	Smith, Mr
Jennings, Mr	Somyurek, Mr
Leane, Mr (<i>Teller</i>)	Tee, Mr
Lenders, Mr	Theophanous, Mr
Madden, Mr	Tierney, Ms (<i>Teller</i>)

Mikakos, Ms

Viney, Mr

Pair

Vogels, Mr

Darveniza, Ms

Motion negatived.

POLITICAL DONATIONS: LEGISLATIVE REFORM

Debate resumed from 25 November 2009; motion of Ms PENNICUIK (Southern Metropolitan):

That this house calls on the state and federal governments to reform laws relating to political donations with the aim of banning donations from entities such as unions and corporations and limiting the size of donations from individuals.

Motion negatived.

ADJOURNMENT

Mr LENDERS (Treasurer) — I move:

That the house do now adjourn.

WorkCover: claim

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I wish to raise a matter for the attention of Minister for Finance, WorkCover and the Transport Accident Commission. It relates to a WorkCover claim by Lord Rex Jones. It has been an ongoing claim that is well known to the Victorian WorkCover Authority. The particular matter I wish to raise with the minister tonight relates to a claim by Lord Jones for a certain rehabilitation aid. Lord Jones received a medical certificate from his medical practitioner indicating the need for the particular aid that he was seeking. He subsequently made a request to the relevant WorkCover agent, which was GIO, seeking that that aid be provided. In an undated letter, GIO responded to Lord Jones:

In a report dated 29 July 2009 your medical practitioner —

and it names the practitioner —

provided information that indicates that this equipment is not required for the rehabilitation of your work-related injury or illness as per a review with a medical adviser. Your accepted WorkCover claim is for post traumatic stress.

That letter from GIO did not accurately represent the opinion of the medical practitioner, and indeed in a subsequent letter to GIO, with a copy to Lord Jones, the medical practitioner set out the true situation and said:

This is to certify that I have today examined:

Lord Rex Jones ...

I refer to your undated letter to the above patient, a copy of which has not been forwarded to me. This undated letter states, 'Dr ...

It gives the name. It then continues:

provided information that indicates that this equipment is not required for the rehabilitation of your work-related injury.

This is a total misrepresentation of the truth. No letter that I have written states the above, and you have misquoted me.

I have advocated the funding of ...

That refers to the aid. It continues:

from my initial letter 16 June 2009.

Upon receiving this letter, Lord Jones raised this matter with the Victorian WorkCover Authority, associated with an FOI request. I emphasise that Lord Jones's matter has been particularly complicated and I wish to focus only on this particular issue, but it is clear from the response from WorkCover to the concerns raised by Lord Jones about the misrepresentation by GIO of his medical practitioner's opinion that WorkCover has not taken the matter seriously, and in the response has stated in reference to the decision:

The decision notices have been sent to you and set out the details of the decision-makers and provide the rationale behind the decision. The rejection notice sets out the reasons for the decision, the internal review process and the conciliation process if you disagree with the decision ...

WorkCover has failed to address the fact that the medical practitioner has been misrepresented by GIO and has simply chosen to ignore that that fact was central to the case.

What I seek from the Minister for Finance, WorkCover and the Transport Accident Commission is that he undertake an investigation into this matter as to why GIO has been allowed to misrepresent this medical practitioner's opinion and why the Victorian WorkCover Authority has not taken up this matter.

Housing: Leongatha

Ms LOVELL (Northern Victoria) — The matter I wish to raise is for the attention of the Minister for Housing and regards the lack of suitable housing for people with disabilities and their carers. My request is for the minister to investigate the case of Ms Renae Wotherspoon and her carer Ms Dorothy Price and advise if a purpose-designed property can be built by the Office of Housing in Leongatha in the very near

future. I have been contacted by Ms Dorothy Price, who has been Ms Renae Wotherspoon's carer for almost 16 years. Renae is severely disabled, is non-verbal, unable to walk and requires 24-hour care.

Renae and Dorothy are currently residing in a unit which is unsuitable for Renae's complex needs — for example, the unit does not have a bath and the shower area is so small that Dorothy has great difficulty lifting Renae into the shower. Renae and Dorothy have been approved for the early housing waiting list, but have been advised there are no suitable properties, or properties that can be modified, available in Leongatha. Dorothy and Renae wish to remain in Leongatha as this is where their support network consisting of medical professionals, family and friends is. Dorothy and Renae have been advised that the only way in which they may be housed in Leongatha by the Office of Housing is if a purpose built property is purpose built for them.

Dorothy has advised me that shortly before Christmas she and Renae met with Tim Darby from the Office of Housing. According to Dorothy, Mr Darby advised them that funding is available for such a property from the federal economic stimulus funds, but approval needs to be gained from Office of Housing head office in Melbourne. Unfortunately thus far no moves have been made to construct a purpose-built property for Renae and Dorothy. Dorothy has advised that the continuous strain placed on her by caring for someone 24 hours a day in such inappropriate conditions is taking its toll on both her and Renae. Renae benefits by being cared for in her own home, and Dorothy has done an admirable job of providing that care for 16 years and wishes to continue to do so.

My request is for the minister to investigate the case of Ms Renae Wotherspoon and her carer Ms Dorothy Price and advise if a purpose-designed property can be built for them by the Office of Housing in Leongatha in the very near future.

Port Campbell community centre: redevelopment

Ms TIERNEY (Western Victoria) — My adjournment matter this evening is for the Minister for Regional and Rural Development and concerns the Port Campbell community centre. This government, as all members are aware, has a Small Town Development Fund which continues to help Victoria's smaller towns create jobs, drive economic growth and improve community infrastructure. Since being elected as a member of Parliament I have had the pleasure of supporting a number of applications as well as having

the opportunity to announce many projects throughout western Victoria.

The township of Port Campbell has a population of around 300 permanent residents. It is located on the Great Ocean Road approximately 15 kilometres west of the Twelve Apostles. It is located in the heart of the Port Campbell National Park and therefore caters to a number of visitors, particularly in the summer months. The town also acts as a service centre for a number of industries, including tourism, agriculture and fishing.

I have been made aware of an application for the redevelopment of the Port Campbell community centre, which is badly needed in Port Campbell. The parliamentary committee that I serve on, the Rural and Regional Committee, went to Port Campbell last year. We found that we really did not have an appropriate community space to hold the public hearings. Whilst we did find the surf club an appropriate location, in terms of all those other groups that require proper accommodation and facilities in the township they are often found wanting.

This application includes construction of a new large multicultural space, improved kitchen facilities, disabled access and entry for the toilets and additional storage space. As I said, even from personal experience I know that this is a much-needed facility in the township of Port Campbell. I strongly urge the minister to support this application which will have many positive outcomes for the permanent residents of Port Campbell, the many sporting and social groups in the community and the outlying area, as well as assisting and increasing the number of tourists visiting this part of our coast.

Mr O'Donohue — On a point of order, President, I seek a clarification as to whether the action sought by the member actually is an action. As I understood it from her contribution, the township of Port Campbell has put in an application for funding pursuant to the Small Town Development Fund, and presumably that fund has a set of criteria by which assessments are made. As I understand it, the member is calling on the minister to support that fund.

There would be an objective set of criteria which would be followed, and I ask your guidance, President, firstly, as to whether what the member has asked is actually an action, and secondly, whether it is appropriate to ask a minister to intervene in the objective assessment of funding for this sort of project.

The PRESIDENT — Order! I am of the view that it is not unusual or inappropriate — it may be unusual but

it is not inappropriate — for the member to ask the minister to support the application. It is an action. I am satisfied with it.

Minister for Planning: conduct

Mr KOCH (Western Victoria) — My issue is for the Minister for Planning and relates to the ongoing contemptuous manner in which he chooses to continually remove local councils and communities from the decision-making process affecting their local areas. To the dismay of Geelong residents and City of Greater Geelong councillors, a development site was secured and fenced last week to allow a 91-unit housing development in Moorabool Street. No approval or consultation was sought from council or local residents. Instead last November the minister chose to bypass the people of Geelong and issue a planning permit from the comfort of his office.

This is another example of councils and residents being kept in the dark. Their needs and the vision for this central location have not been considered by a minister whose approach continues to be sneaky and underhanded. This arrogance on the part of the Minister for Planning is nothing new. His decision last March to ignore the wishes of residents, the City of Greater Geelong and the upper house of Parliament in relation to the Barwon Heads bridge is well remembered at Barwon Heads.

Councillors and residents are concerned about the consequences of not debating in an open forum the issues surrounding this development. The landmark precinct has a shortage of parking both during the week and on weekends. Without an open consultative process, residents remain sceptical of the Brumby government's processes.

In an attempt to pass the buck, a government spokesman has claimed it was the council's responsibility to inform residents as to what was approved. The government spokesman has missed the point — that is, that as the government is the planning authority in this instance, it has the responsibility to consult with the community instead of again shifting responsibility to local government. Even Brumby government MP Ian Trezise, the member for Geelong in the Assembly, was unaware of this major development in his own electorate. Embarrassingly he is now scrambling around trying to organise information sessions for residents. Mr Trezise is now being seen as trying to shut the gate after the horse has bolted. Not even the Premier approves of how this matter has been handled. He claims the situation will be rectified. This is again merely lip-service and a

smokescreen designed for the government's heavy-handed approach to planning procedures. How can the community have any confidence in a consultation process that starts after the deal has been signed off?

My request is that the minister acknowledge that zero consultation remains unacceptable to the people of Geelong, where residents demand to actually take part in the planning process for any redevelopment within their communities. The minister should explain exactly what he has approved if he wants to retain the Geelong public's confidence.

Nunawading and Springview primary schools: merger

Mr ATKINSON (Eastern Metropolitan) — I wish to refer a matter for the attention of the Minister for Education. It concerns the ramifications of the merger of Nunawading Primary School and Springview Primary School in the Nunawading area. Last year those two schools were encouraged by the regional office of the Department of Education and Early Childhood Development to get together and discuss a merger. The basis of it was that both schools had a number of infrastructural challenges and federal government funding for school upgrades was available. It was considered that if the two schools could agree to a merger, then a more extensive redevelopment of one of the campuses could be undertaken, which would provide outstanding educational facilities.

Unfortunately the merger was achieved with fairly minimal consultation with the school community. It was a decision that the school councils agreed to because they recognised that if they did not agree to this decision, their opportunities of getting funding to upgrade their respective schools were going to be extremely limited going forward. They were forced to make a decision notwithstanding the significant problems about the distance some students would have to travel to get to school. That has all been resolved, and the school has returned this week on the Nunawading Primary School site.

Next year the school will go to the Springview Primary School site after it has been redeveloped. The school will have a new name. As a part of the exercise to try to achieve harmonisation of the two school communities, the school has opted to have an entirely new school uniform. That is probably a good idea in the circumstances, and it will contribute to bedding down this merger fairly quickly. A problem arises that creates an extra expense for parents who had not intended to be part of a merged school.

The action I seek is for the Minister for Education to consider a grant for the school to assist parents with some of the new uniform costs. Recognising that the government already makes a contribution to students starting school and also to students starting secondary school, it would seem appropriate in the circumstances where a merger has been achieved by the government's own initiative that the parents ought not be out of pocket. Therefore I ask that the minister consider a contribution towards the costs for these parents on this occasion.

Schools: speed zones

Mrs COOTE (Southern Metropolitan) — This evening my adjournment matter is for the Minister for Roads and Ports, Tim Pallas. It is to do with the confusion regarding school speed limits. This week we have seen children returning to school. We all want students, particularly new students — that is, preps and grade 1 students — to be safe. You would hope they have received the message about safety on the roads and that motorists have also got the message about speeding around school facilities.

I have a lot of sympathy for drivers, because the speed limits around suburban streets are exceedingly difficult and confusing to understand. I will give members an example from in and around Stonnington.

There is a 40-kilometre-an-hour zone for the entire day, every day, on Toorak Road, High Street and in Hawksburn Village, but in the surrounding streets there is a 50-kilometre-an-hour limit. There is a 60-kilometre-an-hour-limit in every other part of the area, but if you go along Dandenong Road, you find that there are 70-kilometre-an-hour limits on parts of the road. It is exceedingly confusing. It is particularly confusing where the times change in and around school locations. There are schools which have various opening times, and that is exceedingly confusing.

I refer to an article in the *Herald Sun* of 27 January written by Ashley Gardiner. It says:

Motorists are confused by school speed limits — only one in four say they understand the rules.

...

As children return to school this week and next, insurer AAMI has urged motorists to take care.

A survey commissioned by the company found almost two-thirds of respondents had accidentally broken the limit.

The spokesperson for Australian Associated Motor Insurers is quoted as having said:

We know from other research that, particularly in urban areas, motorists can be overwhelmed by the number of road signs,

traffic lights and the challenges of negotiating peak-time traffic ...

The article states further:

For roads with a usual limit of 60 kilometres an hour or 70 kilometres an hour, the 40-kilometre-an-hour limit applies between 8.00 a.m. and 9.30 a.m. and from 2.30 p.m. to 4.00 p.m.

On roads that are usually 80 kilometres an hour and above, a 60-kilometre-an-hour limit applies around schools during those times.

Members can see how confusing this is. It is imperative that we have safety on our streets and particularly that we have school vicinities that are safe for small children. The action I am seeking is for the minister as a matter of urgency to conduct an in-depth investigation into the public's understanding of speed limit times and introduce a comprehensive awareness campaign to ensure safety and confidence on our suburban streets.

Brimbank family violence unit: closure

Ms HARTLAND (Western Metropolitan) — My adjournment matter is for the attention of the Minister for Police and Emergency Services, Mr Cameron, and relates to the closure of a vital service in the city of Brimbank. The Brimbank area has the highest rates of reported family violence incidents in Victoria. In a local paper last week a journalist broke the news of the closure of the Brimbank family violence unit, which has operated out of the Keilor Downs police station for over three years. The Brimbank family violence unit has demonstrated a new way of collaboration, the first of its kind in this state.

This closure is distressing to many people, including family violence workers, their clients, employees of the unit and the wider community. The Brimbank family violence unit provided specialist response to family violence incidents in the area and valuable relationships, skills and knowledge were established and nurtured over the years. In October 2008 the Minister for Women's Affairs said:

The Brumby government is committed to breaking the cycle of family violence and supporting victims.

My Greens colleagues and I have supported such moves in a number of pieces of legislation that have come before this house. But the closure of the unit contradicts the pledges of the Brumby government.

The closure appears to be due to the lack of police numbers in Victoria. The government has failed to keep up with the booming population, and the *Herald Sun* has reported:

... that for the fifth year in a row Victoria Police has the lowest number of cops on the beat per head of population in the country.

I do not believe that services such as this should be closed on the basis that there are not enough resources. The government is either committed to assisting people who are in family violence situations, especially children who repeatedly have to see violence within their families, which leaves them traumatised for a very long time, or it is not. It would be good to see the government taking as much notice of family violence as it does about violence on the street. The action I ask of the minister is to restore funding and resources to the Brimbank family violence unit.

Youth: Berwick housing

Mrs PEULICH (South Eastern Metropolitan) — I wish to raise a matter for the attention of the Minister for Housing, Richard Wynne, in relation to a youth social housing project at 50–52 Bellevue Drive, Berwick. The reason I have been asked to raise the matter is that I understand a petition signed by some 511 petitioners has been tabled in the Assembly by Ms Graley, the member for Narre Warren South, who has also been hearing about the concerns surrounding this proposal to accommodate a social housing project which will be run by WAYSS Ltd and the Department of Human Services to house 10 youths in a five-unit complex at 50–52 Bellevue Drive, Berwick.

It is a residential street. There is no ready or nearby access to public transport, and it is very close to Berwick Fields Primary School. The residents of Bellevue Drive as well as those in the surrounding streets have been meeting on a regular basis with some of the councillors and council officers from the City of Casey. They have been asking for the minister to investigate the suitability of the location and to review that, but most importantly, should the proposal proceed, to look at ensuring that the 10 youths between the ages of 17 and 21 and perhaps up to 25 — they have not been able to get a clear answer — will be supervised for a much greater period than the 9.00 a.m. to 5.00 p.m. period, five days a week, which currently is supposed to be the arrangement.

This leaves them unsupervised for 61 per cent of the week. Given that some of these will be troubled youths, there are concerns that the local residents will suffer a loss of amenity and have to pick up on some of the issues that may surround such a facility. I am not sure whether all those matters have been fully considered by the department or the minister, but I would ask that he arrange for either himself or departmental officers to meet with Ms Graley and the concerned residents to

answer some of these questions and ease their concerns, in particular about whether the location is suitable and, if it is — and I am not sure that it is — that the concerns about the lack of supervision after 5 o'clock and on the weekends are addressed. Clearly where there are issues, that is when they arise.

People in the community want to be confident that they have someone to address those concerns rather than being forced to dial 000. We all know that when that happens, because of the underresourcing of police stations, there is often a delayed response or perhaps no response at all.

The local community is not pleased with the answers it has been given so far. If the minister could investigate and address the concerns, I would be most grateful.

Puffing Billy: refurbishment

Mr O'DONOHUE (Eastern Victoria) — I raise a matter this evening for the attention of the Minister for Tourism and Major Events. It concerns the tourism icon and living history that is Puffing Billy. At approximately 100 years old, it is a reminder of our past and is also a serious money-spinner for Victoria, in particular for the outer east and the Dandenong Ranges. It attracts 260 000 visitors each year and injects approximately \$23 million into the local economy.

Puffing Billy currently supports 100 jobs. There are also 700 volunteers on the books of Puffing Billy, and there are some amazing people who give up a great deal of their time to work on the restoration of locomotives and on servicing the rolling stock and other aspects of the railway.

However, the future of Puffing Billy is not secure. It has an ageing infrastructure that needs upgrading and like any tourism product, it needs to be refreshed and upgraded. I congratulate the chief executive officer of the Puffing Billy railway, Eamon Seddon, for putting together a comprehensive business case for the refurbishment of the railway, to build a discovery centre and improve the amenity and customer experience. It is proposed that this plan, costed at \$40 million, will be funded predominately by the railway and the private sector.

However, the railway is looking for a state government contribution of \$15 million to this recapitalisation and upgrade. It appears to me to be a good investment for the state to secure the long-term future of Puffing Billy. Importantly, modelling shows that if the investment that is sought is made, an additional 140 jobs will be created in a region that is not rich in local job

opportunities. It will be a very important job creator for the Dandenongs and the outer east.

I know the minister has been briefed by the Puffing Billy railway supporters and has been in dialogue with them about their plans. I would like to thank the shadow Minister for Tourism, Ms Asher, the member for Brighton in the Assembly, for going out to meet with Mr Seddon and to see firsthand what is required, in the company of the Liberal candidate for the electorate of Gembrook, Brad Battin. The action I seek from the minister is that he work with the government and Puffing Billy — —

Mr Lenders — She spent three and a half years as tourism minister. It is a pity she did not do anything then.

Mr O'DONOHUE — She did a great deal then but — —

The PRESIDENT — Order! There is to be no debate during the adjournment.

Mr O'DONOHUE — President, the action I seek from the minister is that he work with the government and Puffing Billy so the \$15 million sought can be provided as part of the \$40 million business case to secure the long-term viability of Puffing Billy and generate additional jobs in the outer east and the Dandenongs.

North–south pipeline: total fire ban days

Mrs PETROVICH (Northern Victoria) — My matter on the adjournment is for the Minister for Water and relates to the practice of using machinery on days of total fire ban or code red days. This is an irresponsible practice and rural people are horrified at the prospect of anyone acting in this arrogant manner. The sentiment of horror was relayed to me after the disastrous day that was 7 February, which has now been called Black Saturday, when Melbourne Water workers constructing the north–south pipeline were using equipment alongside long, dry grass on a day of 43 degrees Celsius and an FDI (fire danger index) of 75.

On days prior to Black Saturday, north–south pipeline employees worked on every total fire ban day amidst frantic pleas from landowners not to use chainsaws, angle grinders, tractors, slashers and heavy earthmoving equipment. These landowners were threatened with arrest if they did not stand aside.

On 10 January this year, having learnt nothing from Black Saturday, they were at it again, once again on a

day of total fire ban, this time operating a post-hole digger. A fencing contractor in Shepparton was recently charged for using equipment on a dangerous day — and we all know what occurred on Mount Macedon on Ash Wednesday. This behaviour affects community safety and needs to be addressed. There cannot be some rules for some and different rules for others. Apparently a permit has been issued, and this needs to be questioned.

The action I seek is that the Minister for Water, on almost the anniversary of Black Saturday, ensure that the work on the north–south pipeline does not continue on days of extreme fire danger and that he clarify why this work is exempted and how the Country Fire Authority permit was granted when all other work and rural activity must cease.

Wild dogs: control

Mr P. DAVIS (Eastern Victoria) — I raise a matter for the attention of the Minister for Agriculture. I have previously drawn the minister's attention to the inadequacy of the government's program to eradicate, or indeed control, the wild dogs that are becoming an increasing problem in the far east of the state. That instance centred on a lack of effort being devoted to controlling wild dogs in the Omeo region. I now report that land-holders in the Tubbut area, just inside the state border, are experiencing similar problems, which are being aggravated by the fact that dogs from areas to the west are now straying towards properties around Tubbut.

Stock losses in the area are heavy, running to tens of lambs in a night on one property. The Department of Primary Industries (DPI) has not replaced the trapper who patrolled the area east of the Snowy River until last year. The department says it is saving the money to put towards a baiting program, but no baiting has been done in the Tubbut area as yet. Of greater concern is that the department is taking steps that are making the wild dog program largely ineffective.

Following a meeting with land-holders in December the DPI decided to cease the use of the traditional steel-jawed traps and snares. It has replaced them with a miniature version of the traps which local people now commonly referred to as mouse traps. They report that when a dog's foot touches the mouse trap, the spring in it just throws the foot back out of the trap. At a further meeting in the past couple of weeks still no explanation was forthcoming of the reasons for these backward courses of action. Therefore the problem continues — not merely unabated but in fact getting worse.

I therefore ask that the minister act, firstly, to appoint a new trapper for that area, and secondly, to reinstate the use of conventional steel traps and snares.

Western Health: waiting lists

Mr D. DAVIS (Southern Metropolitan) — My matter for the adjournment tonight is for the attention of the Minister for Health. It concerns the waiting lists at Western Health and the FOI documents which have been carefully examined by the opposition and which show that more than 2900 patients were left for years on the hidden hospital waiting lists at Western Health. That is an enormous number of patients. At Sunshine Hospital there were 1163 unreported patients waiting for treatments and procedures, at Western Hospital there were 1205 patients and at Williamstown Hospital there were 536.

The lengths of time that patients were forced to wait in the Western Health hospitals are extraordinary. At the Western Hospital one patient waited for more than four years, or 1603 days. At Williamstown Hospital one patient had to wait 1584 days to get the treatment they required, and at Sunshine Hospital patients have waited for enormous lengths of time — 648, 609, 566 and 529 days.

Mr Lenders interjected.

Mr D. DAVIS — These are indeed patients who are real people.

Mr Lenders — You closed Altona.

Mr D. DAVIS — It is now the 11th year of your government; you are in the 11th year, as you well know — 11 years of government and people are waiting 1603 days. It is a disgrace.

Mr Lenders interjected.

Mr D. DAVIS — And the Treasurer knows what board member Jill Hennessy has been up to.

I very much want to put on record the concerns of people across the western region of the city and of the opposition about these enormous waits and the fact that time and again the government has refused to release much of this data, and it continues to fight the release of this sort of data around the state. The refusal of the government to honour the FOI act and to ensure that data that relates to thousands of patients who are waiting — —

Mr Lenders interjected.

Mr D. DAVIS — And the Treasurer ought to know better. What I want the Treasurer to do is to pass this to the Minister for Health and to seek his assistance in working with the Western Health board and the hospital to cut the length of time people are waiting at Western Health, to cut the impact on people across the western region of the city, including in the Altona electorate, and to ensure that the audit and risk committee of the hospital, which includes Jill Hennessy, and has responsibility not only for financial matters but also for risk and procedural issues inside the hospital, as pointed out by the Auditor-General, deals with this issue. I ask the Treasurer to ensure that this is dealt with and that the scandalous lengths of time that people are forced to wait are cut.

Responses

Mr LENDERS (Treasurer) — Twelve members raised adjournment matters, President. I will refer those matters to the relevant ministers.

The PRESIDENT — Order! The house now stands adjourned.

House adjourned 10.23 p.m.