

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

**5 November 2003
(extract from Book 5)**

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

By authority of the Victorian Government Printer

The Governor

JOHN LANDY, AC, MBE

The Lieutenant-Governor

Lady SOUTHEY, AM

The Ministry

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

Legislative Council Committees

Privileges Committee — The Honourables W. R. Baxter, Andrew Brideson, H. E. Buckingham and Bill Forwood, and Mr Gavin Jennings, Ms Mikakos and Mr Viney.

Standing Orders Committee — The President, Ms Argondizzo, the Honourables B. W. Bishop and Andrea Coote, Mr Lenders, Ms Romanes and the Hon. E. G. Stoney.

Joint Committees

Drugs and Crime Prevention Committee — (*Council*): The Honourables C. D. Hirsh and S. M. Nguyen.
(*Assembly*): Mr Cooper, Ms Marshall, Mr Maxfield, Dr Sykes and Mr Wells.

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

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

Environment and Natural Resources Committee — (*Council*): The Honourables Andrea Coote, D. K. Drum, J. G. Hilton and W. A. Lovell. (*Assembly*): Ms Duncan, Ms Lindell and Mr Seitz.

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

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

Law Reform Committee — (*Council*): The Honourables Andrew Brideson and R. Dalla-Riva, and Ms Hadden.
(*Assembly*): Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

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

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

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

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

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

Scrutiny of Acts and Regulations Committee — (*Council*): Ms Argondizzo and the Hon. A. P. Olexander.
(*Assembly*): Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

Heads of Parliamentary Departments

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

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

Hansard — Chief Reporter: Ms C. J. Williams

Library — Librarian: Ms G. Dunston

Joint Services — Director, Corporate Services: Mr S. N. Aird

Director, Infrastructure Services: Mr G. C. Spurr

MEMBERS OF THE LEGISLATIVE COUNCIL
FIFTY-FIFTH PARLIAMENT — FIRST SESSION

President: The Hon. M. M. GOULD

Deputy President and Chair of Committees: Ms GLENYYS ROMANES

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

Leader of the Government:
Mr J. LENDERS

Deputy Leader of the Government:
Mr GAVIN JENNINGS

Leader of the Opposition:
The Hon. P. R. DAVIS

Deputy Leader of the Opposition:
The Hon. ANDREA COOTE

Leader of the National Party:
The Hon. P. R. HALL

Deputy Leader of the National Party:
The Hon. D. K. DRUM

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

CONTENTS

WEDNESDAY, 5 NOVEMBER 2003

LOCAL GOVERNMENT (DEMOCRATIC REFORM) BILL	
<i>Introduction and first reading</i>	1179
RESIDENTIAL TENANCIES (AMENDMENT) BILL	
<i>Introduction and first reading</i>	1179
ANIMALS LEGISLATION (ANIMAL WELFARE) BILL	
<i>Introduction and first reading</i>	1179
ELECTORAL (AMENDMENT) BILL	
<i>Introduction and first reading</i>	1179
PAPERS	1179
MEMBERS STATEMENTS	
<i>Southport Community Residential Home</i>	1183
<i>Road safety: Fit to Drive program</i>	1183
<i>Napoleon and Kelletts roads, Rowville: safety</i>	1184
<i>Dendy Park pavilion</i>	1184
<i>ADI Ltd: Benalla plant</i>	1184
<i>Ballarat and Melton: environmental projects</i>	1185
<i>Horsham: Regional Art Australia conference</i>	1185
<i>Schools: Going for Broke</i>	1185
<i>Border Mail centenary</i>	1185
<i>Northland Secondary College: Pathways to Justice program</i>	1186
<i>Prisoners: compensation</i>	1186
<i>General practitioners: skilled migration</i>	1186
<i>Wangaratta Festival of Jazz</i>	1187
<i>Refugee Week</i>	1187
<i>Worksafe Victoria awards</i>	1187
ROYAL CHILDREN'S HOSPITAL: SELECT COMMITTEE	1188
QUESTIONS WITHOUT NOTICE	
<i>Gascor: dividend</i>	1212
<i>Fuel: ethanol labelling</i>	1213
<i>Small business: redundancy payments</i>	1214
<i>Gas: competition review</i>	1214
<i>Information and communications technology: broadband access</i>	1215
<i>Aged care: residential places</i>	1216
<i>Commonwealth Games: Melbourne Cricket Ground redevelopment</i>	1217
<i>Small business: government initiatives</i>	1217
<i>Commonwealth Games: athletes village</i>	1218
<i>Supplementary question</i>	1218
<i>Commonwealth Games: general assembly</i>	1219
<i>Supplementary questions</i>	
<i>Gascor: dividend</i>	1213
<i>Small business: redundancy payments</i>	1214
<i>Information and communications technology: broadband access</i>	1215
QUESTIONS ON NOTICE	
<i>Answers</i>	1219
EXTRACTIVE INDUSTRIES DEVELOPMENT (AMENDMENT) BILL	
<i>Second reading</i>	1219

VICTORIAN CURRICULUM AND ASSESSMENT AUTHORITY (AMENDMENT) BILL	
<i>Second reading</i>	1220
PORT SERVICES (PORT MANAGEMENT REFORM) BILL	
<i>Second reading</i>	1222
<i>Third reading</i>	1238
<i>Remaining stages</i>	1238
EMERALD TOURIST RAILWAY (AMENDMENT) BILL	
<i>Introduction and first reading</i>	1238
ADJOURNMENT	
<i>Rail: Museum station</i>	1238
<i>Footscray: car parking</i>	1239
<i>Scoresby Secondary College: maintenance</i>	1239
<i>Glen Eira: child care</i>	1239
<i>Youth: Star 6 program</i>	1240
<i>Multicultural affairs: justice directory</i>	1240
<i>State Emergency Service: rescue vehicles</i>	1241
<i>Children: obesity</i>	1241
<i>Prisoners: transport assistance</i>	1241
<i>Housing: waiting lists</i>	1242
<i>Water: irrigation advisory committees</i>	1242
<i>Taxis: fares</i>	1243
<i>Tourism: China Airlines</i>	1243
<i>Small business: Under New Management program</i>	1243
<i>Housing: Warrnambool property</i>	1244
<i>Responses</i>	1244

Wednesday, 5 November 2003

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

LOCAL GOVERNMENT (DEMOCRATIC REFORM) BILL

Introduction and first reading

Received from Assembly.

Read first time on motion of Ms **BROAD (Minister for Local Government)**.

Ms **BROAD (Minister for Local Government)** — I move:

That the bill be printed and, by leave, the second reading be made an order of the day for later this day.

Leave refused.

Ordered to be printed and second reading to be made order of the day for next day.

RESIDENTIAL TENANCIES (AMENDMENT) BILL

Introduction and first reading

Received from Assembly.

Read first time on motion of Ms **BROAD (Minister for Housing)**.

Ms **BROAD (Minister for Housing)** — I move:

That the bill be printed and, by leave, the second reading be made an order of the day for later this day.

Leave refused.

Ordered to be printed and second reading to be made order of the day for next day.

ANIMALS LEGISLATION (ANIMAL WELFARE) BILL

Introduction and first reading

Received from Assembly.

Read first time on motion of **Hon. T. C. THEOPHANOUS (Minister for Energy Industries)**.

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — I move:

That the bill be printed and, by leave, the second reading be made an order of the day for later this day.

Leave refused.

Ordered to be printed and second reading to be made order of the day for next day.

ELECTORAL (AMENDMENT) BILL

Introduction and first reading

Received from Assembly.

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

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the bill be printed and, by leave, the second reading be made an order of the day for later this day.

Leave refused.

Ordered to be printed and second reading to be made order of the day for next day.

PAPERS

Laid on table by Clerk:

Accident Compensation Conciliation Service — Report, 2002-03.

Adult, Community and Further Education Board — Report, 2002-03.

Albury-Wodonga Development Corporation — Report, 2002-03.

Alexandra District Hospital — Minister for Health's report of receipt of the 2002-03 report.

Alpine Health — Report, 2002-03 (three papers).

Ambulance Service Victoria — Metropolitan Region — Report, 2002-03.

Architects Registration Board of Victoria — Report, 2002-03.

Austin Health — Report, 2002-03 (two papers).

Australian Centre for the Moving Image — Report, 2002-03.

Australian Food Industry Science Centre — Report, 2002-03.

Australian Grand Prix Corporation — Report, 2002-03.

Bairnsdale Regional Health Service — Report, 2002-03.

Ballarat Health Services — Report, 2002-03.

Barwon Health — Report, 2002-03.

- Barwon Region Water Authority — Report, 2002-03.
- Bass Coast Regional Health — Report, 2002-03 (two papers).
- Bayside Health — Report, 2002-03.
- Benalla and District Memorial Hospital — Report, 2002-03 (two papers).
- Bendigo Health Care Group — Report, 2002-03.
- Bethlehem Health Care Melbourne — Report for the period ended 26 June 2002.
- Boort District Hospital — Minister for Health's report of receipt of the 2002-03 report.
- Building Commission — Report, 2002-03.
- Casey's Weir and Major Creek Rural Water Authority — Minister for Water's report of receipt of the 2002-03 report.
- Casterton Memorial Hospital — Report, 2002-03.
- Central Gippsland Health Service — Report, 2002-03.
- Central Gippsland Region Water Authority — Report, 2002-03.
- Central Highlands Region Water Authority — Report, 2002-03.
- Chief Electrical Inspector's Office — Report, 2002-03.
- Cobram District Hospital — Report, 2002-03 (two papers).
- Cohuna District Hospital — Report, 2002-03.
- Colac Area Health — Report, 2002-03.
- Coleraine District Health Services — Minister for Health's report of receipt of the 2002-03 report.
- Coliban Region Water Authority — Report, 2002-03.
- Corangamite Catchment Management Authority — Report, 2002-03.
- Country Fire Authority — Report, 2002-03.
- Djerriwarrh Health Services — Report, 2002-03.
- Eastern Health — Report, 2002-03.
- East Gippsland Catchment Management Authority — Report, 2002-03.
- East Gippsland Region Water Authority — Report, 2002-03.
- Echuca Regional Health — Report, 2002-03.
- EcoRecycle Victoria — Report, 2002-03.
- Education and Training Department — Report, 2002-03.
- Emergency Communications Victoria — Report for the period 4 June 2002 to 30 June 2003.
- Emerald Tourist Railway Board — Report, 2002-03.
- Emergency Services Superannuation Scheme — Report, 2002-03.
- Environment Protection Authority — Report, 2002-03 (two papers).
- Essential Services Commission — Report, 2002-03.
- Federation Square Management Pty Ltd — Report, 2002-03.
- Film Victoria — Report, 2002-03.
- Fisheries Co-Management Council — Report, 2002-03.
- Food Safety Council — Minister for Health's report of receipt of the 2002-03 report.
- Gambling Research Panel — Report, 2002-03.
- Gas Safety Office — Report, 2002-03.
- Geelong Performing Arts Centre Trust — Report, 2002-03.
- Gippsland and Southern Rural Water Authority — Report, 2002-03.
- Gippsland Southern Health Service — Report, 2002-03 (two papers).
- Glennelg Hopkins Catchment Management Authority — Report, 2002-03 (two papers).
- Glennelg Region Water Authority — Report, 2002-03.
- Goulburn Broken Catchment Management Authority — Report, 2002-03.
- Goulburn-Murray Rural Water Authority — Report, 2002-03.
- Goulburn Valley Health — Report, 2002-03.
- Goulburn Valley Region Water Authority — Report, 2002-03.
- Government Superannuation Office — Report, 2002-03.
- Grampians Region Water Authority — Report, 2002-03.
- Greater Victoria Wine Grape Industry Development Committee — Minister for Agriculture's report of receipt of the 2002-03 report.
- Hastings Port (Holding) Corporation — Report, 2002-03.
- Health Purchasing Victoria — Minister for Health's report of receipt of the 2002-03 report.
- Hepburn Health Service — Report, 2002-03.
- Heritage Council — Report, 2002-03.
- Hesse Rural Health Service — Minister for Health's report of receipt of the 2002-03 report.
- Heywood Rural Health — Report, 2002-03.
- Human Services Department — Report, 2002-03.
- Infertility Treatment Authority — Report, 2002-03.
- Infrastructure Department — Report, 2002-03.

Inglewood and Districts Health Service — Minister for Health's report of receipt of the 2002-03 report.

Innovation, Industry and Regional Development — Report, 2002-03.

Intellectual Disability Review Panel — Report, 2002-03.

Intellectually Disabled Persons' Services Act 1986 — Report of Community Visitors for 2002-03.

Justice Department — Report, 2002-03.

Kilmore and District Hospital — Report, 2002-03.

Kooweerup Regional Health Service — Report 2002-03 (two papers).

Kyabram and District Health Services — Report, 2002-03.

Kyneton District Health Service — Report, 2002-03.

Latrobe Regional Hospital Pty Ltd — Report for the period 1 July 2002 to 5 May 2003.

Legal Practice Board — Report, 2002-03.

Library Board of Victoria — Report, 2002-03.

Lorne Community Hospital — Minister for Health's report of receipt of the 2002-03.

Lower Murray Region Water Authority — Report, 2002-03.

Maldon Hospital — Minister for Health's report of receipt of the 2002-03 report.

Mallee Catchment Management Authority — Report, 2002-03.

Mallee Track Health and Community Service — Report, 2002-03.

Manangatang and District Hospital — Minister for Health's report of receipt of the 2002-03 report.

Maryborough District Health Service — Report, 2002-03.

McIvor Health and Community Services — Minister for Health's report of receipt of the 2002-03 report.

Melbourne 2006 Commonwealth Games Pty Ltd — Report, 2002-03.

Melbourne and Olympic Parks Trust — Report, 2002-03.

Melbourne Convention and Exhibition Trust — Report, 2002-03.

Melbourne Cricket Ground Trust — Report for the year ended 31 March 2003.

Melbourne Market Authority — Report, 2002-03.

Melbourne Port Corporation — Report, 2002-03.

Melbourne Water Corporation — Report, 2002-03.

Members of Parliament (Register of Interests) Act 1978 — Summary of Returns, June 2003 and Summary of Variations Notified between 6 June and 30 September 2003.

Mental Health Act 1986 — Report of Community Visitors for 2002-03.

Mental Health Review Board — Minister for Health's report of receipt of the 2002-03 report.

Mercy Public Hospitals Inc — Report, 2002-03 (two papers).

Metropolitan Fire and Emergency Services Board — Report, 2002-03.

Mount Alexander Hospital — Report, 2002-03.

Moyne Health Services — Report, 2002-03.

Murray Valley Citrus Marketing Board — Report, 2002-03.

Murray Valley Wine Grape Industry Development Committee — Minister for Agriculture's report of receipt of the 2002-03 report.

Nathalia District Hospital — Minister for Health's report of receipt of the 2002-03 report.

National Parks Act 1975 —

Report, 2002-03.

Reports in relation to certain parks, pursuant to section 30L of the Act.

North Central Catchment Management Authority — Report, 2002-03.

North East Catchment Management Authority — Report, 2002-03.

North East Health Wangaratta — Report, 2002-03.

North East Region Water Authority — Report, 2002-03.

Northern Health — Report, 2002-03.

Numurkah District Health Service — Report, 2002-03 (two papers).

Nurses Board of Victoria — Report, 2002-03.

Omeo District Hospital — Minister for Health's report of receipt of the 2002-03 report.

Orbost Regional Health — Report, 2002-03.

Osteopaths Registration Board — Minister for Health's report of receipt of the 2002-03 report.

Otway Health and Community Services — Minister for Health's report of receipt of the 2002-03 report.

Overseas Projects Corporation of Victoria Ltd — Report, 2002-03.

Parks Victoria — Report, 2002-03.

Parliamentary Contributory Superannuation Fund — Report, 2002-03.

Peninsula Health — Report, 2002-03.

Peter MacCallum Cancer Institute — Report, 2002-03.

- Pharmacy Board of Victoria — Minister for Health's report of receipt of the 2002-03 report.
- Phillip Island Nature Park — Report, 2002-03 (two papers).
- Physiotherapists Registration Board of Victoria — Minister for Health's report of receipt of the 2002-03 report.
- Plumbing Industry Commission — Report, 2002-03.
- Podiatrists Registration Board of Victoria — Minister for Health's report of receipt of the 2002-03 report.
- Police — Office of the Chief Commissioner — Report, 2002-03 (two papers).
- Portland and District Hospital — Report, 2002-03.
- Portland Coast Region Water Authority — Report, 2002-03.
- Port Phillip and Westernport Catchment Management Authority — Report, 2002-03.
- Premier and Cabinet Department — Report, 2002-03.
- Primary Industries Department — Report, 2002-03.
- Prince Henry's Institute of Medical Research — Report for the period 1 January 2002 to 30 June 2003.
- Psychosurgery Review Board — Minister for Health's report of receipt of the 2002-03 report.
- Public Transport Corporation — Report, 2002-03.
- Queen Elizabeth Centre — Report, 2002-03.
- Queen Victoria Women's Centre Trust — Report, 2002-03.
- Regional Development Victoria — Report for the period 3 March 2003 to 30 June 2003.
- Residential Tenancies Bond Authority — Report, 2002-03.
- Roads Corporation — Report, 2002-03.
- Rochester and Elmore District Health Service — Report, 2002-03.
- Royal Botanic Gardens Board — Report, 2002-03.
- Royal Victorian Eye and Ear Hospital — Report, 2002-03.
- Rural Ambulance Victoria — Report, 2002-03.
- Rural Finance Act 1988 — Treasurer's directive of 22 October 2003 to Rural Finance Corporation.
- Rural Finance Corporation — Report, 2002-03.
- Seymour and District Memorial Hospital — Report, 2002-03.
- Shrine of Remembrance — Minister for Planning's report of receipt of the 2002-03 report.
- South Eastern Medical Complex Limited — Report, 2002-03.
- Southern Health — Report, 2002-03.
- South Gippsland Region Water Authority — Report, 2002-03.
- South West Healthcare — Minister for Health's report of receipt of the 2002-03 report.
- South West Region Water Authority — Report, 2002-03.
- Spencer Street Station Authority — Report, 2002-03 (two papers).
- State Electricity Commission of Victoria — Report, 2002-03.
- State Sports Centres Trust — Report, 2002-03.
- St Vincent's Health — Report, 2002-03 (four papers).
- Sunraysia Rural Water Authority — Report, 2002-03.
- Surveyor-General — Report on the Administration of the Survey Co-ordination Act 1958 for 2002-03.
- Sustainability and Environment Department — Report, 2002-03.
- Sustainable Energy Authority Victoria — Report, 2002-03.
- Swan Hill District Hospital — Report, 2002-03.
- Terang and Mortlake Health Service — Report, 2002-03.
- Timboon and District Healthcare Service — Minister for Health's report of receipt of the 2002-03 report.
- Tourism Victoria — Report, 2002-03.
- Treasury and Finance Department — Report, 2002-03.
- Tricontinental Holdings Limited — Report for the year ended 31 December 2002.
- Trust for Nature — Minister for Environment's report of receipt of the 2002-03 report.
- Tweddle Child and Family Health Service — Minister for Health's report of receipt of the 2002-03 report.
- Upper Murray Health and Community Services — Report, 2002-03.
- Victorian Arts Centre Trust — Report, 2002-03.
- Victorian Broiler Industry Negotiation Committee — Minister for Agriculture's report of receipt of the 2002-03 report.
- Victorian Casino and Gaming Authority — Report, 2002-03.
- Victorian Catchment Management Council — Report, 2002-03.
- Victorian Channels Authority — Report, 2002-03 (two papers).
- Victorian Coastal Council — Report, 2002-03.
- Victorian Communities Department — Report, 2002-03.
- Victorian Curriculum and Assessment Authority — Report, 2002-03.
- Victorian Electoral Commission — Report, 2002-03.
- Victorian Energy Networks Corporation — Report, 2002-03.

Victorian Funds Management Corporation — Report, 2002-03.

Victorian Health Promotion Foundation — Report, 2002-03.

Victorian Institute of Forensic Medicine — Report, 2002-03 (six papers).

Victorian Institute of Forensic Mental Health — Report, 2002-03.

Victorian Institute of Sport Trust — Report, 2002-03 (two papers).

Victorian Institute of Teaching — Report for the period 20 June 2002 to 30 June 2003.

Victorian Law Reform Commission — Report, 2002-03.

Victorian Learning and Employment Skills Commission — Report, 2002-03.

Victoria Legal Aid — Report, 2002-03.

Victorian Managed Insurance Authority — Report, 2002-03.

Victorian Medical Consortium Pty Ltd — Report, 2002-03.

Victorian Multicultural Commission — Report, 2002-03.

Victorian Privacy Commissioner's Office — Report, 2002-03.

Victorian Qualifications Authority — Report, 2002-03.

Victorian Rail Track — Report, 2002-03 (two papers).

Victorian Strawberry Industry Development Committee — Minister for Agriculture's report of receipt of the 2002-03 report.

Victorian Tomato Industry Development Corporation — Minister for Agriculture's report of failure to submit 2002-03 report.

Western Health — Report, 2002-03.

Westport Region Water Authority — Report, 2002-03.

Western Region Water Authority — Report, 2002-03.

West Gippsland Catchment Management Authority — Report, 2002-03.

Wimmera Catchment Management Authority — Report, 2002-03.

Wimmera-Mallee Rural Water Authority — Report, 2002-03.

Wodonga Regional Health Service — Report, 2002-03 (four papers).

Women's and Children's Health — Report, 2002-03.

Yarra Bend Park Trust — Minister for Planning's report of receipt of 2002-03.

Yarram and District Health Service — Report, 2002-03 (two papers).

Yarrawonga District Health Service — Report, 2002-03.

Yea and District Memorial Hospital — Minister for Health's report of receipt of the 2002-03 report.

Young Farmers' Finance Council — Report, 2002-03.

Zoological Parks and Garden Board — Report, 2002-03.

MEMBERS STATEMENTS

Southport Community Residential Home

Hon. ANDREA COOTE (Monash) — Last week I attended the annual general meeting of the Southport Community Residential Home, together with the other member for Monash Province, John Scheffer. Its 2003 annual report says:

The Southport Community Residential Home aims to provide high-quality, evidence-based, client-focused care. They recognise the right of each resident to be respected as an individual at all times and to regard the Southport as an extension of his or her former home within the community.

I believe that under the excellent guidance of the president, Julie Prideaux, and chief executive officer, Margaret Thorpe, it has achieved this.

The Treasurer, Paul Briglia, outlined the difficulties caused by cost escalation and said the committee of management was concerned about losses eroding money set aside for the expansion of the facility.

The Southport Community Residential Home has excellent plans to substantially expand the facility, and I urge the Minister for Aged Care, Minister Gavin Jennings, to listen to a request from his colleague the Honourable John Scheffer who very clearly understands the issues involved and the support required.

Road safety: Fit to Drive program

Hon. J. G. HILTON (Western Port) — On Sunday I was a participant and also a prize-giver at the Fit to Drive Arthurs Seat challenge. The event is a fun run or walk from the Rosebud pier to the top of Arthurs Seat — a distance of some 6 kilometres.

The Fit to Drive program is an education initiative aimed at providing young drivers with the knowledge they need to drive safely on our roads. The ultimate objective is to reduce the still horrendous road toll especially amongst young people. The genesis of this program was a series of accidents which occurred on the Mornington Peninsula some five years ago, particularly the triple fatality amongst year 11 Peninsula School boys.

My family had some association with this tragedy as my son, Philip, was then a year 11 student at Peninsula and one of his best friends was killed. Indeed, on the Friday before the accident they were sitting together doing an exam. Philip never saw him again.

I think as parents of teenage children we have all lain awake at night worrying until we hear the key in the door. We are particularly worried should the phone ring unexpectedly. Any measures which can be put in place to reduce the casualties on our roads should receive our full support and this Fit to Drive program is a terrific initiative.

For the interest of members, I completed the course in 58 minutes, beating my personal best by some 75 seconds. The winner completed the course in 25 minutes, but as he was 35 years younger than me, on a weight-for-age basis it was a photo finish.

Napoleon and Kelletts roads, Rowville: safety

Hon. B. N. ATKINSON (Koonung) — I wish to indicate my support for the duplication of Napoleon and Kelletts roads in Rowville, and I seek to draw the minister's attention to those particular roads for improvement at such time as the City of Knox lodges its application for road funding with Vicroads.

These two roads have been in the top five priorities for the City of Knox for some years and of course in this particular area of Rowville there has been a very significant expansion of subdivisions, and therefore, population, in that area to the extent that the road system in Rowville is not coping with the degree of traffic there.

I acknowledge that the government has recently approved the installation of traffic signals on Lysterfield Road to fix one very serious problem in the City of Knox, but this other project is also in the same quadrant and deserves the minister's attention and government funding for it.

The City of Knox is very keen to have this project completed and certainly the residents and motorists who use these two roads recognise that in the interests of road safety in Rowville it is imperative that this project be funded at an early date. I hope the minister will accept my support and undertake to fund that project.

Dendy Park pavilion

Mr PULLEN (Higinbotham) — Recently I had the pleasure, together with Mayor Ken Beadle and Cr Mike Dwyer of Bayside City Council, of opening the

improvements to the Dendy Park pavilion at Dendy Park in Brighton. The state government contributed \$50 000, council contributed \$50 000 and the Brighton East Cricket Club and the Brighton Junior Soccer Club the balance. Brighton East Cricket Club is celebrating its 75th anniversary this season.

The pavilion is named the Jamieson pavilion after the Jamieson boys: David, cricket club treasurer for 40 years; Fred, a long-serving committee man; and the late John — better known as Jake — who was secretary for many years. All were outstanding contributors to the cricket club for many years. Incidentally I used to have many fine political discussions with Jake, who was a real true believer.

The redevelopment included additional team change rooms, increased storage facilities and an expanded members area. Cricket club president, Jason Vanelewood, outlined the club's aims for the coming season, while soccer club president, Steve Carey, pointed out how the improvements to the pavilion will be a big boost to the club, which has 620 junior players.

ADI Ltd: Benalla plant

Hon. E. G. STONEY (Central Highlands) — On 23 October I attended an important function in Benalla. The occasion was the opening of a production line for 25 millimetre ammunition — the first in Australia — at the ADI Ltd plant just outside Benalla. Local politicians, councillors and dignitaries attended. Lucio Di Bartolomeo, managing director of ADI, and Brigadier George Yacoub, Department of Defence, jointly officially opened the line.

The line will provide ammunition for Australia's replacement patrol boat fleet and Australian light armoured vehicles. Group manager of corporate communications, Leigh Funston, said that this was significant because up to this time all 25 millimetre ammunition required by the Australian Defence Force has been imported. It is the first major enhancement of the Benalla factory since it was opened in 1996, and ADI is very pleased with the support provided by the Benalla community.

The Benalla facility provides the bulk of Australian Defence Force munitions needs, and probably for the first time in its history Australia can now efficiently and cost effectively produce most of the munitions it requires for its security.

ADI is a large employer in Benalla. Its site covers 1200 hectares, of which about 156 hectares is used for manufacturing and development of plant. ADI has

planted a lot of trees under the Land for Wildlife scheme. ADI is a very good corporate citizen and a very good addition to the economy in north-eastern Victoria.

Ballarat and Melton: environmental projects

Ms HADDEN (Ballarat) — On 31 October I witnessed two great events for the environment in my electorate. The Melton–Bacchus Marsh water pipeline was commenced with the laying of the first pipe, witnessed by the Minister for Environment, who is also the Minister for Water, and local MPs. The pipeline is a \$12.5 million project, a key investment in the region by Western Water. The new 17 kilometres of pipeline will provide a permanent connection to Melbourne’s drinking water supply at a time when Western Water’s customers are on stage 3 restrictions.

The second event, the official launch by the Minister for Environment of the Victorian oil recycling network, took place at the Gillies Street transfer station in Ballarat. The network consists of up to 40 used motor oil collection points across Victoria. The key message is: oil does not wear out, it just gets dirty. Recycling unwanted used motor oil will protect our environment and save valuable resources. Congratulations to the Ballarat-based company, Miller Bros, for being the successful manufacturer of the eco-oil recycle storage tanks.

With both of these environmental initiatives the Bracks government is responding to the community’s need for a sustainable solution to the drought and the reduction of waste generation by introducing oil recycling facilities across the state.

Horsham: Regional Art Australia conference

Hon. D. KOCH (Western) — I am pleased to promote the activities of Regional Art Australia, the key national body representing the broad and complex interests of those working for the arts in regional, rural and remote Australia. As an advocate Regional Art Australia has achieved significant results in winning better recognition and support for the enormous contribution that regional arts make to the cultural, economic and social wellbeing of the nation.

Recently Regional Arts Australia announced at a reception in Horsham that the city had been selected from applications across rural Australia to be the site of the national biennial regional conference. Plans for the conference are well under way and have been accelerated with confirmation of \$100 000 from the Australia Council. This worthy grant will mean

organisers can expand the scope of the conference, allowing the local Horsham and district community to see the best in regional art.

Over 6000 people from across Australia will attend the conference and inject more than \$1 million into the Horsham and district community. The conference, to be held in October 2004, will provide opportunities for participants to build their skills and knowledge and meet fellow artists from across the wide spectrum.

Schools: *Going for Broke*

Hon. H. E. BUCKINGHAM (Koonung) — I am delighted to advise my colleagues of an excellent program of consumer education currently being run in schools in Koonung Province and other areas in the outer east.

In late September I was pleased to launch, on behalf of the Minister for Consumer Affairs, a play entitled *Going for Broke*, which is performed by young people for young people to raise awareness of credit issues. The play deals with common credit issues involving such things as the use of mobile phones and credit cards, impulse buying, pressure from peer groups, and advertisements. Young people are often not aware of the dangers of being given credit and the many hidden costs associated with it, and they can be hit with bills they are not expecting or cannot afford.

Only a fortnight ago I attended performances of the play at both Waverley Christian College and Scoresby Secondary College in my electorate, and I both enjoyed the show and was delighted to see how well the performances were received by the student audiences.

The government’s Consumer Credit Fund has funded the Consumer and Tenancy Resource Centre of the outer east to present the plays in 20 schools across the local areas of Knox, Maroondah and Yarra Ranges over the next 12 months. The play is entertaining and the students recognise themselves in the characters portrayed by the five young actors who present the message that credit is okay but that it is very important to be aware of all the costs involved with purchases on credit.

The plays are a fantastic way of educating young consumers on the pitfalls associated with credit, and I hope the program will be extended to other regions for the benefit of all Victorian young people.

Border Mail centenary

Hon. W. R. BAXTER (North Eastern) — I want to alert the house to a very significant media event which

recently occurred. On 24 October the *Border Mail* celebrated its centenary. That is made all the more unique by the fact that it is still owned by the founding family, the Motts. Hamilton and Decimus Mott founded the *Border Mail* in 1903 in Albury, having previously started newspapers there much earlier, but having left for a while and then returned. It is somewhat extraordinary that the same family would still own what has become, I think, the leading provincial newspaper in Australia — and that is borne out by the fact that it has won awards on many occasions.

Former Deputy Prime Minister Tim Fischer provided a fitting tribute at the celebrations, and then a new \$20 million state-of-the-art printing press was commissioned. I was pleased to note that our former colleague and the current member for Bass in another place was in attendance, because his newspaper group is entering into a joint venture with the *Border Mail*.

The newspaper is very well thought of in the Riverina and northern Victoria. Not so long ago it relocated from Albury to Wodonga, which was a feather in the cap for not only the city and the people of Wodonga but Victoria generally as we saw this investment come across to our side of the river. I pay tribute to the Mott family for their contribution to rural Australia.

Northland Secondary College: Pathways to Justice program

Ms MIKAKOS (Jika Jika) — On 22 October 2003 I had the pleasure of speaking at the Northland Secondary College community forum which was held to discuss the Pathways to Justice program operating at that school. Northland Secondary College and the Department of Justice signed the Pathways to Justice agreement a year ago. This innovative initiative comes under the umbrella of the Victorian Aboriginal justice agreement which aims to reduce the high rate of overrepresentation of Koori people within the criminal justice system. In essence, this initiative offers a pathway to careers in the justice system.

Research by the Department of Justice shows that a Koori person who does not finish school is 86 times more likely to be in prison than a Koori who completes a secondary education. Pathways offers Koori students employment and study opportunities, such as attending seminars with Victoria Police and the Melbourne Magistrates Court, internships and work experience opportunities and such things as the holding of job fairs and the donation to the school of redundant computers.

It is fitting that the pilot for this agreement has been held in partnership with Northland Secondary College,

a school that has had an epic struggle for its existence and which has an excellent Koori education program. I congratulate the school principal, Ms Raffaella Galati-Brown, and the school community for its continued support of this important initiative.

Prisoners: compensation

Hon. R. DALLA-RIVA (East Yarra) — I rise to express some concern about a report in the *Herald Sun* of 28 October which purported that a prisoner, who had slipped while playing table tennis at a remand centre, had won an undisclosed sum of money from the state government.

From a review of some of the media comments on the matter it would appear that there are some concerns in the community about this issue and how the government and the community have reacted to it. On 30 October there was a phone poll on the issue, asking, ‘Should prisoners be able to sue the state for damages?’. Interestingly 4771 people said no and only 124 persons — 2.5 per cent — said yes.

In the context of this issue it is important to say that there is some general concern in the community’s view about prisoners having the capacity to sue willy-nilly on trivial matters, given that victims of crime receive moderate sums of money by way of compensation. I draw that to the government’s attention and hope that in some way it is able to come up with a viable solution. In New South Wales and Queensland the Labor governments — —

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

General practitioners: skilled migration

Mr SOMYUREK (Eumemmerring) — As with most regions across the state and country, the GP crisis has hit hard in my electorate of Eumemmerring Province.

The general skilled migration visa stream should be used to induce professions that are in demand in Australia. However, the immigration department has not included general practitioner as a necessary occupation on the list of migration occupations in demand. While the occupation of general practitioner is not on that list, other worthy occupations such as carpenter and plumber are on it. I stress that these occupations are contributing to the wellbeing of life in my electorate — but so, too, are medical practitioners.

In order to obtain a visa to enter Australia as a skilled migrant a worker must obtain points in the points

system and be included in the skilled occupations list. The immigration department awards no points at all to the occupation of general practitioner. However, it does award points to, for example, the worthy professions of historian and mathematician. However much people in these professions may contribute to our society, they do not perform the tasks of a medical practitioner, whose skills are potentially critical to the health needs of Australians during these times of GP shortages.

Wangaratta Festival of Jazz

Hon. W. A. LOVELL (North Eastern) — Over the four days from Friday, 31 October, to Monday, 3 November, Wangaratta came alive to the sounds of the Wangaratta Festival of Jazz. Now in its 14th year, the festival began in 1989 as a dream of a group of Wangaratta businesspeople who wanted to establish a festival to put the town and the region on the map.

Today the Wangaratta Festival of Jazz is acclaimed by fans, musicians and critics as Australia's premier jazz festival, and national and international artists consider it a compliment to be invited to perform at this event. Over the years the festival has won numerous tourism awards, and in 2000 it was awarded the status of a Victorian hallmark event.

This year more than 30 000 people attended the festival over the four days and were entertained by over 200 musicians, who performed more than 100 performances at 17 venues from outdoor Reid Street to hotels, the town hall, wineries, and the Holy Trinity Cathedral.

The community of Wangaratta is strongly supportive of the festival and more than 600 volunteers contributed to this year's successful event. The community's appreciation and congratulations go to the chairperson, Patti Bullus, and the board of the Wangaratta Festival of Jazz for once again presenting an absolutely amazing festival; to the Transport Accident Commission, which has been the festival's major sponsor for the past eight years, and also to Mayor Irene Grant and the Rural City of Wangaratta for their support of the festival.

Refugee Week

Hon. KAYE DARVENIZA (Melbourne West) — I want to take this opportunity to congratulate the Maribyrnong City Council, the Migrant Resource Centre North West Region, the Adult Multicultural Education Service and the Melbourne Citymission, along with Centrelink, on staging celebrations in the Braybrook Community Centre to mark refugee week

2003. I was fortunate enough to attend those celebrations.

Victoria is one of Australia's most multicultural states and has a proud history of welcoming migrants and refugees to its cities and towns. The United Nations has estimated that there are some 40 million refugees and displaced persons throughout the world, and the City of Maribyrnong is home to many residents who have been forced to flee from their homelands as refugees and have resettled in Victoria.

The City of Maribyrnong has shown a compassionate and humane response to refugees seeking asylum. I take this opportunity to congratulate the many groups and individuals who performed or shared their stories and experiences as part of refugee week. Again we are very fortunate that we are able to benefit from the skills, culture, knowledge, food and traditions that are brought to us by so many different groups of refugees who have chosen to make Melbourne West their home.

Worksafe Victoria awards

Hon. BILL FORWOOD (Templestowe) — On Thursday night last week I was pleased to attend the Worksafe Victoria awards at the Melbourne Exhibition Centre. It was a terrific night, and I wish to congratulate Worksafe again on putting on the evening. In particular I congratulate each of the finalists in the seven categories: health and safety representative of the year; workplace health and safety committee of the year; small business; best solution for sprain and strain; best risk solution; best strategies for health and safety management; and outstanding leadership in health and safety.

What was remarkable about the evening was the extraordinary input to occupational health and safety that workers and management are having in Victoria. Professor Dennis Else, who won the award for outstanding leadership in health and safety, made the point that Victoria is the home of innovation in occupational health and safety. It was apparent that businesses that are investing in occupational health and safety are also improving their bottom lines; by looking at health and safety issues, they are improving the ways they do business.

DAIR Industries, which won in the category for best strategies for health and safety management, built a new factory that is an extraordinary advancement on its previous factory. This has led to miles better operations and work flow as well as increased safety.

Sixteen-year-old Jarrod Richards — —

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

ROYAL CHILDREN'S HOSPITAL: SELECT COMMITTEE

Hon. D. McL. DAVIS (East Yarra) — I move, by leave:

That —

- (a) a select committee of five members be appointed to inquire into and report on:
 - (i) the operation of the Royal Children's Hospital and the Women's and Children's Health network;
 - (ii) the financial position of the Royal Children's Hospital; and
 - (iii) the relationship between the Royal Children's Hospital and the Women's and Children's Health network and the Department of Human Services including its various agents and agencies or any person or persons involved in the management of the hospital and/or health network or involved in the development or setting of policy in relation to the hospital or network;
- (b) the committee shall consist of three members nominated by the Leader of the Government and two members nominated by the Leader of the Opposition;
- (c) the members shall be appointed by lodgment of the names with the President by the leaders no later than 4.00 p.m. on the day after the house agrees to this resolution;
- (d) the first meeting of the committee shall be held at 10.30 a.m. on the first Friday following the lodgment of the names of the members with the President;
- (e) the committee may proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
- (f) three members of the committee shall constitute a quorum;
- (g) reports of the committee may be presented to the Council from time to time and that the committee present its final report to the Council on or before 6 February 2004;
- (h) the presentation of a report or interim report of the committee shall not be deemed to terminate the committee's appointment, powers or functions; and
- (i) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and practice of the Council, shall have effect notwithstanding anything contained in the standing orders.

This is a very important motion, and the opposition is very pleased the government has given leave for it. It is

the usual practice, because there was a holiday before this day of sitting. The Royal Children's Hospital is one of our most significant institutions in Victoria. It is an institution that every Victorian and Victorian family understands. It is an institution that every Victorian treasures and wants to see preserved, grown and strengthened.

I place on record early in this contribution my genuine strength of feeling that this is an important inquiry. We offer to the government in open and generous communication a way forward with the situation that has developed at the Royal Children's Hospital.

The proposed select committee of five members of this house would be a vehicle — a mechanism — to enable us as a community and as a Parliament to get to the bottom of the problems at the Royal Children's Hospital. I will lay out later in this contribution a number of those concerns and issues, but I want to be very clear at an early point in this debate that this is how the Parliament ought to operate. It is a mechanism that would enable the community, through its parliamentarians, to undertake good work that would place the hospital on a much stronger footing.

In placing the hospital on a stronger footing it could thereby guarantee the eminence of the hospital and the strength of the assistance that it provides to Victorian children both now and into the distant future, and I believe that is what every member of this house in their own way would seek to do. Every member in this house would seek to see the children's hospital at its strongest, at its most viable and at its most capable of assisting children.

Over the last period, having had quite a bit to do with a number of the people at the Royal Children's Hospital, I have been greatly touched by the commitment of its staff and support groups.

It is very important to recognise that the hospital is a special institution with broad community support that is manifested in a number of ways — for example, through the Royal Children's Hospital appeal each and every year and in the donations provided through other mechanisms, whether these are through Bluey Day or the whole series of other voluntary organisations.

A couple of weeks ago I was proud to attend the inaugural meeting of the Islamic community's fundraising efforts to support the Royal Children's Hospital. That is an important step, and I welcome those fundraising initiatives. Community groups should be able to undertake that fundraising in confidence, knowing that their fundraising efforts will be received

with maximum effect and have the greatest possible impact in assisting not only the hospital but ultimately the children and the staff that so ably serve it.

I state clearly that I am not alone in the community in reaching the conclusion that there are many serious and concerning problems at the Royal Children's Hospital. No Victorian over the last month or two could have failed to hear the series of pleas from staff, parents and hospital administrators about the problems facing our premier children's hospital.

I know some have taken a particular active role, and certainly I have been prepared to work with and assist some of those people. In the first instance I compliment Neil Mitchell on the stance he has taken on the Royal Children's Hospital. I believe he has played a very important role. What he has done in this recent period in the first instance is the best of the work of the media. He has been prepared to work with and develop an issue to get positive outcomes for his community. The press and the other media should play a great compliment to Neil Mitchell for his leadership on this issue, both through the *Herald Sun* and on his radio program.

I also compliment the *Herald Sun* in its preparedness to fight for this issue and say that there are things wrong at the Royal Children's Hospital, as well as the *Age*, and the *Sunday Age* in particular which has been strong in stepping forward in saying that, 'This is a very important community institution'. I believe a number of television stations have also been prepared to step forward and say, 'Enough is enough. There are some problems at the Royal Children's Hospital and they have to be addressed'.

While I make this contribution in a positive sense to offer the hand of bipartisanship to the government, I believe this inquiry should be open and public and ensure that it gets to the absolute truth of the problems at the Royal Children's Hospital, and it should do so in open forums so that people are able to speak. Many people at the Royal Children's Hospital have said to me that they would speak publicly about problems at the hospital, but they are not prepared to do so in fear that it would jeopardise their career or, in some cases, as it has been strongly put to me, jeopardise the future treatment of a child they have as a patient at that hospital.

Whether those fears are founded is another matter. I cannot answer that, but what I can say is that people have those fears, and this inquiry would be a mechanism and a way forward to get to the bottom of these issues and allow people to speak openly, publicly

and the truth about the problems at the Royal Children's Hospital.

I can only say that that preparedness for openness, transparency and accountability is the mark of a good government. I welcome the government's preparedness to step forward on this issue. The Women's and Children's Health annual report for 2002–03 was tabled in the last 20 minutes, and I confess that I have not had time to fully analyse it. Some of the figures that I planned to put forward in this debate to an extent are superseded by the annual report.

In making my case I will reflect on material that comes out of the report that is hot off the press, as it were, when it was tabled in the house. The Women's and Children's Health report provides details that are not unexpected, the first of which is the issue of the deficit at the Women's and Children's Health network, constituted by the Royal Children's Hospital and the Royal Women's Hospital. We have been led to believe by the press that the deficit would be \$25 million in the last financial year to 30 June. That is not the case. I note that the net result from ordinary activities in the report for 2002–03 is listed as \$28 410 000. That is a staggering figure that must concern every Victorian. Every Victorian must read that figure and say, 'This is our premier children's hospital that is in deep financial crisis'. The figure for the year to 30 June 2002 was \$5 041 000 — a massive turnaround of \$23 million in only one financial year.

The total changes in equity other than those resulting from changes in contributed capital is \$29 084 000 — obviously a consolidated figure for 2002–03, almost \$30 million. The figure last year was \$5 041 000. The fully consolidated figure is \$22 667 000. They are extraordinary figures, but the bottom-line figure in one sense is the result from net ordinary activities, which is \$28 410 000. The consolidated figure is \$22 667 000 if you include changes in contributed capital and equity. Either way, the conclusion is that this is a deficit larger than the Victorian community expected, and much more devastating in its impact on the Women's and Children's Health network, of which the Royal Children's Hospital is such a significant part.

It is clear that hospitals in financial stress and debt cannot successfully plan for the future; they cannot take the sorts of steps they need to put forward a positive program; and they cannot take the steps they need to look to the future. That is one clear reason why this inquiry is important. It is not only money and the financial position of the network that causes me to move the motion today, it is also the heartfelt concern of many people I have talked to at the Royal Children's

Hospital as well as public statements and concerns that many people have laid out over the recent period.

I place on record the list, as it were. It is not a complete list, because there have been other problems pointed to such as the closure of ward 8 west, a specialist ward for children with disabilities. That is a very important ward. There is the matter of capital equipment. The budgetary situation of the network and of the government's position, which I will come to in a moment, impacts on the capital equipment issue.

We in this house have had many discussions this year and earlier, particularly this year since the Auditor-General tabled his report on medical equipment, an important and groundbreaking report which laid out a way forward for the government. We know that much medical equipment is entirely predictable in the way it is required to be used and when it needs to be replaced. We know that a computerised tomography (CT) scanner or another piece of medical equipment has a predictable lifespan. It requires a predictable maintenance schedule and replacement at a certain point in its life cycle that is mandated by good practice and by the guidelines laid down by a number of groups, because the life cycle of equipment is entirely predictable.

The Auditor-General made the point that we could move to a better system with respect to medical equipment where hospitals could more properly and adequately incorporate the cost of capital for basic equipment into their budgetary arrangements and planning rather than being forced to go cap in hand to the department and to compete in an entirely political process for proper funding. I believe it was this situation that led to the issue with the \$2.5 million CT scanner at the Royal Children's Hospital. That critical piece of equipment was at the end of its lifespan, and the Department of Human Services and the imaging department at the hospital knew that. We know what happens to equipment when it gets near the end of its life: it becomes unreliable and more difficult to operate; and you not only lose efficiency but potentially, in the case of some diagnostic equipment, you lose some diagnostic edge.

I can only conclude, as others associated with the hospital have concluded, that the state government's unfortunate decision not to fund that scanner in the last funding cycle was a deliberate decision taken in the knowledge that that equipment could be funded from somewhere else within the hospital's funding cycle. That alternate funding source was in fact the Royal Children's Hospital Good Friday Appeal.

I want to place on record that it has not been the practice of the Good Friday appeal to replace or fund standard pieces of equipment. It will often fund to the edge of technology; it will fund a series of things in the hospital that will make the life and situation of children who frequent the hospital much more comfortable. But it is not the purpose of the Good Friday appeal to do that or indeed the many other important fundraising groups, including the Royal Children's Hospital Foundation, the Ronald McDonald House charities, Hospital International, the Bluey Day support service and the Murdoch Institute, which helps with research, to do that. Those funding sources are not meant to replace basic government funding for central or core services.

In this case the government knowingly took the decision that the piece of equipment was in desperate straits and that the imaging department of the hospital would have no choice but to find another funding source. The hospital was forced to fall back on the Good Friday appeal, thus obviating in the government's view the need to fund this piece of equipment. That is a scandal. I can think of nothing that would undermine the confidence in private and charitable fundraising for the hospital more than the view that the government would withdraw money inappropriately as funding was increased from private and charitable sources.

As part of this inquiry we need to get beyond that and to make it clear that that practice should not be adopted. This government is culpable in that regard and it should take a different approach. I believe that could be done within a broader reform of medical equipment — —

Mr Viney interjected.

Hon. D. McL. DAVIS — I think there are some real and broader issues, as Mr Viney and I well know, having debated that matter in this house on another occasion. The Auditor-General's comments in that instance directly point to some of the difficulties that occur where you have an inappropriate capital management regime in place.

The conditions in the cancer ward about which people have spoken so strongly and in such a heartfelt way can only be described as unsatisfactory — and that is the mildest word I can use. Alistair and Claire Ewart publicly described the conditions in the cancer ward as barbaric, and I know they are not alone in their views. Other parents of children having cancer therapy at the Royal Children's Hospital have also made that point to me. I know the government has stepped forward with some money — and that money is welcome, but it is

disappointing that it has taken public pressure to bring the government to a position where it is prepared — —

Mr Viney — Do you know that?

Hon. D. McL. DAVIS — I do actually.

Mr Viney interjected.

Hon. D. McL. DAVIS — Well, Mr Viney, at least I have a very good source that is rather closer to the department than your government would like.

I want to make a point about the turning away of children from cancer appointments, and I think that is a significant issue. I cannot believe critical clinical appointments would not be kept. I cannot believe the government cannot make the situation better in terms of reliability for parents of children with cancer to ensure that their treatment regimes are in no way interrupted.

I want to say something about the waiting list issue at the Royal Children's Hospital. The last *Hospital Services Report* provides a snapshot of some of the issues at that hospital. The most recently available figures from the quarterly report put out by the Department of Human Services show that 23 patients waited on trolleys at the emergency department for longer than 12 hours in the quarter to 30 June 2003. But it is not just the patients in the emergency department — and those situations are unsatisfactory — it is also the tragic position of patients waiting for elective surgery.

There has been a significant deterioration in that situation under this government. In the quarter to June 1999 the number of people on waiting lists for semi-urgent elective surgery at the Royal Children's Hospital was 94. By the June 2002 quarter the number had increased to 190, — a 102 per cent increase. That is 190 children on a waiting list for elective surgery, which is unacceptable in anyone's language. The number of people on the waiting lists for non-urgent elective surgery has also increased from 1 186 in June 1999 — a number that is far too high — to a much higher number in June 2002 of 1 380, an increase of just under 200, or 16.4 per cent. I can again only say the government needs to address those figures.

I believe the department and the government have not got their minds on the right issues. Some of the relevant comments in the media recently are that the department has lost its way in many respects. The department has ordered a new office tower at Lonsdale Street to the tune of \$350 million, including a \$51.8 million fit-out. This is a sign of a department that has lost its way and has got its priorities quite wrong. I know the department

is also focused on more consultancies for human services. That is a great pity because that money ought more properly to have been spent at the Royal Children's Hospital or somewhere else in the system.

I note with concern from the annual report of the Women's and Children's Health (WCH) network that consultancies appear to be a very significant cost in the system, or at least a cost of dubious necessity. We in this house have only had access to this report for a very short period. Certainly in 2002–03 the number of consultants appears to have increased. There were seven consultancies in excess of \$100 000, at a cost of \$1.01 million. This significant amount of money could have been better and more sensibly applied. In addition, over the year, 50 other consultancies were employed for minor consultancy work.

I make the point that the Financial Management Act requires the departments and statutory authorities like the WCH network to declare the value of consultancies under \$100 000. In its annual report tabled in Parliament today WCH has chosen to flout the law that requires it to list the value of consultancies under \$100 000. It is not clear to me why a major health network like WCH would choose to break the law in this regard and not declare the value of those consultancies other than if those consultancies had increased significantly in value. But it is not possible to ascertain this, because that information is also not provided in a satisfactory way in the annual report for the previous year.

I refer to the section of the 2001–02 annual report dealing with consultancies. It states:

There were two consultancies in excess of \$100 000.

...

Other significant consultancies during the year related to clinical analysis and costing and various systems reviews.

So for two years running the Women's and Children's Health network has chosen not to declare properly, as required under the Financial Management Act, the value of consultancies despite what appears to me to be an increase from \$220 000 or \$230 000 to more than \$1 million in consultancies valued at over \$100 000, and an unknown and unascertainable number of smaller consultancies other than the fact that there were 50 in number in that most recent period — but that they were of unknown value.

Again, this is a sign of a health network which has not got its focus on the right things, which has not thought through what it needs to do, and which has lost its way. It is also a sign of a health department that is making it

more and more difficult for the Women's and Children's Health network. I know there has been much tension between the department and the Royal Children's Hospital. Many people have told me this off the record and many of them are too afraid to put their heads up and indicate their concerns publicly, but they have been prepared to relate instances — —

Mr Viney interjected.

Hon. D. McL. DAVIS — Well, I have to tell Mr Viney that what has destroyed morale at the Women's and Children's Health network is the \$28 million or \$29 million — depending on how you view the figures, but they are massive — budget deficit at the Royal Children's Hospital and the Royal Women's Hospital, as published in the Women's and Children's Health network annual report just tabled in this Parliament.

I would have thought Mr Viney and his community would be as concerned as I am about that annual report, and I think that as a parliamentary secretary he has a role to speak to the government and senior ministers — to the health minister and the Treasurer — to make sure that this hospital is dealt with properly. It is unsatisfactory that he remains mute as have many other members of the government.

Having said that, I think government members do want to find a better solution for the Royal Children's Hospital, and a good way forward for government members to take an active part in that would be to establish this inquiry. That would assist people like Ms Darveniza, who has legitimate concerns about the Royal Children's Hospital — and I note her presence in the house — —

Hon. Kaye Darveniza — I am hanging on your every word.

Hon. D. McL. DAVIS — I am pleased that Ms Darveniza is here because it is clear that there is a very significant issue for her constituency in recent changes made by the Women's and Children's Health network. I am drawing not from this current annual report but the 2001–02 annual report at page 23, item 1.23, and this will be of great interest to Ms Darveniza. I note the decision to terminate the arrangements that were undertaken where the Royal Children's Hospital and the Royal Women's Hospital provided an oversight and a collaborative arrangement into the western region. The report states:

1.23 Western Health Service

(formerly North Western Health Care Network)

...

Under the terms of the contract, responsibility for paediatric, gynaecology and obstetric services at Sunshine Hospital reverted back to Western Health Service with the cancellation of the agreement with effect from 30 September 2001.

I note that some people believe that the Royal Children's Hospital role there was an important one which ought to have been extended and expanded. I do not pass personal judgment on that, because I am not sufficiently informed about that issue, but it is one that this inquiry could look at and try to get to the bottom of: what role does the Royal Children's Hospital have in the outreach of paediatric services around the state?

I do not believe that any review of paediatric services is well placed on solid ground unless our premier children's institution in Victoria is itself in a solid position both financially and clinically and in terms of research. It is clear that the Royal Children's Hospital will not be in that position into the future. The hospital forms an important keystone in the delivery of paediatric services in Victoria, and it is naive to argue that the paediatric services review can adequately provide a way forward without fixing the deep and intrinsic problems at the Royal Children's Hospital that have been caused, to a significant measure, if not in full, by the mismanagement of this government. We need to take the proper steps to get to the bottom of those problems so that the statewide paediatric plan can move forward in the way it ought to do.

I am also concerned about the issue of property sales by the Women's and Children's Health network, and it is very clear from the board papers which announcer Neil Mitchell read out on radio 3AW the other day that those papers indicated that properties in Carlton were sold in such a way as to take capital money and plough it back into recurrent funding.

Hon. D. K. Drum interjected.

Hon. D. McL. DAVIS — It is of great concern, Mr Drum. To see money taken from the sale of properties and ploughed into annual or year-to-year expenses is a significant — —

Mr Viney interjected.

Hon. D. McL. DAVIS — I have to tell Mr Viney that we did very well in terms of restoring the state to a sound financial position. His government is heading down the wrong track, in my view, in terms of the state's financial position. However, I want to indicate that I am very concerned about that matter and if there have been sales — —

Hon. Kaye Darveniza — You should be.

Hon. D. McL. DAVIS — Is Ms Darveniza concerned about the sale of properties? I will tell her what we did. The situation of the Royal Children's Hospital is clearly going to be worsened by the sale of properties to fund recurrent expenditure, and I do not think that is appropriate. I also want to place on the record in this contribution the fact that —

Honourable members interjecting.

The PRESIDENT — Order! It is unparliamentary to interject, and it is definitely unparliamentary for members to do so out of their place. I ask members to desist.

Hon. D. McL. DAVIS — In February 2003, in his *Report on Public Sector Agencies*, the Auditor-General referred to his review of the financial viability of hospitals. He indicated that 9 public hospitals showed signs of financial difficulty on all four key indicators, and a further 15 hospitals showed stress in at least two of the four key indicators. The Women's and Children's Health network fell into that group of 15. The operating result prior to extraordinary items — this is, to 30 June 2002 — was \$4.599 million in the negative; the operating result prior to funding for capital purposes and extraordinary item was \$15.058 million; and net cash inflows, or outflows as the case may be — in this case, outflows — from operating activities was \$8.851 million. In only one of the Auditor-General's measures was the Women's and Children's Health network found to be in a favourable position. In the other three key tests it was found to be in an unfavourable position.

The Auditor-General went further. I quote from his report on pages 115 and 116. At 5.281 the report states:

The department has advised that the financial management review unit is reviewing the performance of Melbourne Health, Southern Health, Western Health, and Women's and Children's Health. The unit has analysed the causes of the financial declines and is working with chief executive officers and boards to prepare agreed financial recovery plans.

That is for the last financial year. Those recovery plans have been an outstanding or extraordinary failure.

At 5.282 the report states:

The department has advised that, with the implementation of financial recovery plans which include the injection of additional funding where appropriate, based on preliminary estimates these health services should be able to collectively reduce their deficits by some \$15 million to \$20 million during 2002–03 and obtain balanced results over three years.

That seems to be distant on the figures presented to the house today.

The report further states at 5.283:

In addition to the action taken by the financial management review unit in relation to the above hospitals, the following initiatives have been implemented by the department in relation to the hospitals detailed below.

Women's and Children's Health. During 2001–02, the department provided an interest-free loan of \$5 million to Women's and Children's Health to help alleviate its financial difficulties. The hospital is cooperating with the department in the implementation of a financial recovery strategy that includes a range of cost reduction and revenue raising initiatives.

I have asked questions in this house of the Minister for Finance about some of those things and have received unsatisfactory responses.

Mr Pullen — That is wrong.

Hon. D. McL. DAVIS — No, it is not, Mr Pullen. As the minister has laid out, the reality is that many of the guidelines that are set by the Department of Treasury and Finance impact on the reporting requirements of hospitals and other statutory authorities. They impact directly on the requirements of bodies to remain in positive financial situations.

Mr Pullen — Once again you are misleading the Parliament.

Hon. D. McL. DAVIS — I am telling you, Mr Pullen, you may regard this as a trivial issue that can be fobbed off as the minister sought to do, and as you appear to do today, but this is our premier children's institution. If you believe, Mr Pullen, that you can have a network operating in a \$25 million to \$30 million deficit and that that is not a big concern for Victorians, you have your head deep in the sand, and you and the government have to come clean.

The PRESIDENT — Order! Mr Davis, through the Chair!

Hon. D. McL. DAVIS — The government, Mr Pullen and the Minister for Finance have to come clean on these issues, as does the Minister for Health in the other place. It is not suitable for the government to try to fob off questions about the finances of hospitals or other institutions where there are deep financial problems and where the outcomes for the community will be greatly impacted if they are not managed properly.

I also want to place on record my view of what this inquiry could achieve. The problems that have been put

to me about the orthopaedic and neurology wards as well as the imaging departments are significant. This inquiry would have a strong position to step forward and deal with some of those issues. It is not the cancer ward alone that has faced great difficulties at the Royal Children's Hospital.

I note the government's review of paediatric care funding. I believe that review has some scope to achieve some useful outcomes but they cannot be achieved in isolation. It is like the review of paediatric services. If the premier institution for the treatment of children is in deep financial crisis, it cannot simply be fixed by one rejigging of the funding formula. The funding formula needs to be examined, and it needs significant work. The Women's and Children's Health network has not been funded adequately under the current funding arrangements and there are steps that can be taken as part of that funding review. But that review is too narrow and I urge the government to accept a wider review of that issue as part of the wider problem.

In the time that remains to me I wish to indicate to the house some of the issues that could be considered by this inquiry in a bipartisan and positive way that steps forward to provide the solutions needed to strengthen the Royal Children's Hospital. The inquiry would have the opportunity to consider the relationship between government funding and private charitable money, including the mechanisms that could be put in place to prevent the withdrawal of government money where a hospital has been successful and raised additional resources from the community. That would be a valuable step and would constructively strengthen the position of private charitable fundraising.

It is clear the hospital's physical condition and future infrastructure need to be considered. The hospital is tired; it is too small. There are real issues across the hospital. Everyone who works there knows that; everyone who visits the hospital knows it; and every patient who has been through the hospital knows it. It is time to consider a new Royal Children's Hospital, and this inquiry could offer a way forward for the government to find some bipartisan steps.

I note the government has devoted \$2 million to begin investigating that. The opposition supports the planning process for a new Royal Children's Hospital and would be proud to provide every bit of assistance it could in that planning process, because the hospital is a unique Victorian institution that we need to strengthen and develop further.

The Royal Children's Hospital also has an increasingly important role in Victoria's biomedical community, and I believe that role can be strengthened. This inquiry could also offer some bipartisan positions that would strengthen the Royal Children's research base and its position within the biomedical research community in Victoria.

It is true, of course, that Victoria is the premier state for biomedical research, and everything that is done to strengthen a key institution like the Royal Children's Hospital will strengthen the position of biomedical research in Victoria and that important cluster that is unique in our part of the world. It would strengthen Victoria's position in biomedical research and thereby strengthen Australia's position in biomedical research.

The inquiry could work, as I said earlier, at making some positive contributions on the funding of paediatric services. The Royal Children's Hospital's role as a teaching hospital must be strengthened and the inquiry could also provide some positive statements on that.

The access to paediatric services for children from rural and regional areas is important and the Royal Children's Hospital acts as a beacon to those sick children around Victoria. That linkage with rural and regional Victoria could be strengthened as part of the steps of this inquiry, and I would welcome that. The Liberal Party, and no doubt the National Party, has a strong view on that issue and believes that the Royal Children's Hospital is a centre of excellence. Yes, it is based in Melbourne; yes, it has outreach services to other parts of Victoria; but the strength of that central position has to be protected and is important to those who may have rare or unusual conditions and those very sick young children from rural and regional Victoria who want access to our premier children's institution.

I believe also — and I make this as the last point in terms of a key aim of this inquiry — would be to strengthen world-class clinical standards. Now the Royal Children's Hospital has a strong and established record for its clinical standards and I have no question in my mind that this inquiry could offer some ways forward to strengthen that position. There is more that can be done. We need to give the clinicians and administrators the resources and support to ensure that those clinical standards are strengthened. I can see a number of ways that we can step forward and I have no doubt that this inquiry would do that.

I am saddened to record in the house what appears to be a rejection by the government of this genuine offer. The idea of a parliamentary inquiry is an old one, but it is

still a powerful principle and way in which Parliament can successfully operate to tackle issues within the community in a bipartisan or non-partisan way — or an all-party way may be a better way to say it; it is in essence a way of stepping beyond the politics of the situation. This inquiry would, of course, have had a government majority and a government chair. I would just pray that the government, in the time that is available to it, reconsiders the possibility of working cooperatively with both the Liberal Party and the National Party. If the Independents in the other house have some strong views on this they would be welcome to put their views forward as well. That would be a constructive and welcome step that they could take.

The idea is to work as a cooperative group in this house of Parliament. I think that would be the best use of upper house effort and resources. Such an inquiry would not cost a great deal. We know — and the clerks will probably correct me if I am wrong — that the amount that is allocated each year for select committees is \$25 000. My figure may be wrong, but that certainly used to be the figure; it is roughly in the ballpark. I know the Clerk cannot speak in this place, but he is not denying that that figure is roughly in the ballpark.

My point is to say that the amount of money set aside for select committees in this place is very small. Those committees are not expensive. Those committees are able very quickly and efficiently to get to the bottom of an issue. They are able to get the documents that they need. They are able to give people the opportunity to give evidence under oath. They are able to give people the opportunity to vent and air publicly their concerns. In doing so they get to the truth in an efficient and fair manner. I could only commend to the government this mechanism.

I know this house has over its long history used select committees in this way. We could as a team, as a house, make a very positive contribution to the future health of Victoria's children. I for one would be very proud to work with such a committee, and I think many others in this house would also be proud to make that contribution. It is clear that very few things in public life are more important than ensuring that the health of our children is greatly strengthened. Very few things in public life are more important than ensuring that the community's genuine contributions through charitable efforts are strengthened as well. I believe this inquiry would give us the opportunity to do all of those things as I have laid out.

I know that many on this side of the house feel strongly about the future of the Royal Children's Hospital and I am aware that others on the other side of the house in

the Labor Party also feel very strongly about the future direction of the Royal Children's Hospital. That is understandable, and that is as it should be. This inquiry mechanism would give those people the chance to join hands and to produce the report that would place paediatric services in Victoria, through the critical central institution of the Royal Children's Hospital, on the soundest possible footing. In that sense I commend this motion to the house.

Mr VINEY (Chelsea) — I wish to advise the house the government will not be supporting this motion. We will not be supporting this motion for a whole raft of reasons, in particular because it is nothing more than a further example of the opposition using select committees for political witch-hunts. Opposition members have form on this — they absolutely have form on this. They want to tie up the resources of this house. They want to tie up the resources of the Royal Children's Hospital for nothing more than a political witch-hunt.

Listening to the Honourable David Davis, you would have thought that the select committee he was proposing is going to be a love-in: the members are all going to join hands together and try and get to understand the health system. It is nothing more than a smokescreen for what will be a politically charged inquiry to try and use the Royal Children's Hospital, and as Mr Davis has done, to be using people and families who have children in the hospital and who are vulnerable, for nothing more than a political exercise.

The opposition has form on select committees. Mr Forwood talked about the Frankston inquiry — that one got nowhere and achieved nothing. The net result of that was zero. Hundreds of thousands of dollars were spent and the inquiry tied up this house, people in business and people in the Frankston community. The genuine inquiry found that all they were investigating were rumours started by a person who was a political opponent of the then mayor. The opposition has got absolute form on the use and misuse of select committees.

I, for one, am totally supportive of the system of parliamentary committees. They have done extremely well and have done many good things. You only need to look at Victoria's record in road safety to see the work and effort of parliamentary committees in a positive sense. But the motion now before the house is broad and is aimed at an enormous fishing expedition. It talks about the relationship between the Royal Children's Hospital and the Department of Human Services, and about the roles of the network, so it is really casting a wide web to try and extract some

political opportunity for an opposition that is failing and is flailing for any reasonable thing to grab hold of.

Hon. R. G. Mitchell interjected.

Mr VINEY — They do stand for nothing, Mr Mitchell, they do not have any policies. We have seen no policies from Mr Davis in relation to our hospital system. Because they have got no policies all we can go on is their record. We well remember the opposition's record in government because then it closed 12 hospitals and in the first two years in government it cut operating budgets by 15 per cent. We all know extremely well that it sacked 2000 nurses. The fundamental basis of service to people in the Royal Children's Hospital or any other hospital in Victoria is the provision of services through its people and through the employment of nurses — but it sacked nurses.

This government has employed 3000 additional nurses. The former government was closing hospitals. In fact, Professor Duckett, in his investigation of the hospital system when we came into government, found that they were insolvent. We know perfectly well that the opposition, when in government, was using the assets of our hospitals to actually fund recurrent expenditure. That is why our hospital systems were insolvent. It sold off assets. The morale of our hospital system when we came into government was at an all-time low.

It was just mind boggling for me, as the Parliamentary Secretary for Human Services with a particular focus on health in the last Parliament, to visit hospitals in Victoria and to be received so positively and welcomed so much by hospital staff, by hospital management, by nurses and by people in the cleaning staff who all saw what this government had done: the money we put into basic things like improving the cleanliness of our hospitals; the basic things that we put into employing the additional nurses; the basic things we put into additional funding to allow our hospitals to operate properly and with some support.

That is not to mention, of course, the \$1 billion that has gone into capital expenditure since we came into government, into projects like the redevelopment of the Austin hospital, the further funding into the Women's and Children's Health network and the women's hospital, the new Casey hospital, new hospitals in Stawell, in Ararat, new facilities in Bendigo and Ballarat and new facilities at the Royal Melbourne Hospital.

This government has an extraordinary record of putting capital expenditure into our hospital system, of using recurrent expenditure to employ more nurses and

through the hospital cleanliness strategy. This is where the complex work of running a decent hospital system in Victoria is well understood by this government and is completely misunderstood by the opposition.

Opposition members think that by having a witch-hunt parliamentary select committee of the upper house they can get to the bottom of funding a complex hospital system. We are now in November, so according to this motion this committee is due to report by early February next year which would give the committee, with the Christmas–January period, barely a month to conduct this investigation — barely four or five weeks to conduct an investigation into an extremely complex issue.

The opposition when in government failed to understand how the hospital system worked, and through this motion it is demonstrating that it still has absolutely no idea of how our hospital system works. If it was genuine about conducting a decent investigation into our hospital system, we might have had some provisions in this motion for an investigation into what the commonwealth is doing to our hospital system — the incredible cuts it has proposed in the Australian health care agreement and the \$2 billion it has syphoned out of our public hospital system into the private health insurance sector. These are the things that are causing real stress on our hospital system and will do so in the future. If the opposition was genuine about having a bipartisan or a non-partisan investigation as Mr Davis proposed, some provisions would be included in this motion for investigating the appalling record of the commonwealth government on this matter.

Mr Davis, who now wishes to be the champion of our hospital, is on record in *Hansard* of 25 March 1998 as talking about the good things the Kennett government had done to the hospital system. He said in part:

The opposition —

he was speaking of the then Labor opposition —

should realise that ultimately Victorians will view it as unacceptable to play overt politics with the positioning of Victoria's large health facilities.

I heed Mr Davis, because that is what he is doing now. The difference between what he is doing in opposition and what we were doing when in opposition is that we were doing the hard work of putting together some decent policies for what our hospital system needed. Mr Davis has failed to do anything in that regard in his time as opposition health spokesperson, and he would do well to take his own advice.

Hon. Andrea Coote interjected.

Mr VINEY — The ambulance policy is something I am particularly proud of because when I was parliamentary secretary — I know the current parliamentary secretary, Mr Andrews, the member for Mulgrave in the other place, is continuing that work in ambulance policy through the ambulance policy consultative committee — we invested heavily into our ambulance system because the Kennett government had an appalling record in ambulance delays. Hardly a week went by during the Kennett government when there was not some kind of story in the media about how appallingly bad the ambulance system was. The Kennett government started the process of privatising our ambulance system when it sold off the Cranbourne station. It had the appalling record of the Intergraph debacle: it went in there with the razor and cut our ambulance system and as a result it went into crisis.

This government funded about 165 additional paramedics, and it built 12 new ambulance stations in its first term. There was an extraordinary refurbishment of ambulance stations, and as a result we saw our ambulance performance improve dramatically, so I welcome the interjection from the Deputy Leader of the Liberal Party about ambulance policy because our record on that is very proud.

That record is continuing. The work that has been going into ambulance policy is continuing, and it is continuing to create great benefits and rewards for the people of Victoria because they can now rely on their ambulance system, which they could not do under those seven years of Kennett government cuts. This government's record in health has across the board been one of understanding that it is a complex system with complex systems of management. We as a government need to understand the relationships of funding between the state and the commonwealth. We need to understand the complex systems in the health system itself — the management of people, the resources that are required in employing additional nurses, the systems that are required to make sure our hospitals provide a clean and safe environment. We need to understand the need for ongoing capital funding of the hospitals. We need to understand the methods of funding of medical equipment.

These are a complex range of matters that could not possibly be dealt with by an opposition witch-hunt that would be nothing more than a four-week inquiry as an attempt to grab some headlines. That was exposed very eloquently by Mr Davis's opening remarks when he complimented Neil Mitchell, the *Herald Sun*, the *Age* and the *Sunday Age*. It was quite clear from Mr Davis's opening remarks that this was about making sure that the opposition was able to kick a story along, to create

some issues out in the community; and that was laid bare by Mr Davis paying those compliments to the media, currying some favour to try to make sure that he got a good run in that media.

An honourable member interjected.

Mr VINEY — You get a good run in the media if you have some substance to what you are saying. If you have form like the opposition has with its seven years in government destroying the health system, destroying morale, cutting and closing hospitals, getting into the nurses and destroying community confidence in the system, then the media will be well aware that that is the opposition's record. Until such time as the opposition puts in place its policies for health it cannot be believed in this area because all the community can go on is its record, and its record is abysmal.

When we turn to the matters of the Royal Children's Hospital that were the substance of this motion today, it is worth having a look at achievements of the government specifically in relation to the Royal Children's Hospital. In the budget for 2003–04 the total budget for Women's and Children's Health is \$226 million, which is an increase of \$42 million, or 20 per cent, since the Bracks government was elected. In that hospital network 158 additional nurses have been employed since the commencement of the nurse recruitment and retention campaign in 2000. There has been \$1.2 million in equipment grants since 2000 on things like the cardiac monitoring equipment — \$348 000; the 30 syringe pumps worth another \$90 000; and the fluoroscope worth \$770 000, which was funded in the last budget.

I note Mr Davis raised matters in relation to the CT scanner. In fact the hospital's second priority for its capital grants applications to the government in the last budget was the fluoroscope. The CT scanner will be funded by the Royal Children's Hospital Foundation. This is not new, nor is it unusual; this is in fact one of the fundamental statements of purpose of the Royal Children's Hospital Foundation — that is, the funding of equipment for the hospital, so there is nothing incorrect, unusual, new or inappropriate in funding this equipment in this way. Mr Davis in coming to this house and pretending to be bipartisan or non-partisan — as he was saying he was — was really attempting to make political points about the CT scanner. Quite clearly it is being funded in a perfectly appropriate way.

There are of course pressures on the Royal Children's Hospital; there have been and will always be continuous pressures on our hospital system and

networks — because we know that there is a continuing growth in demand for public hospital services in Victoria. In part, that growth in demand is driven by a couple of factors. There is an increasing demand from the aged in the community, and that is exacerbated by the failure of the federal government to fund adequate aged care beds. I note the Minister for Aged Care is in the house, and he might correct me if I am wrong, but my understanding is that Victoria is short about 5000 aged care beds — he is nodding — and that is placing incredible pressure on our hospital system. While it might be said that that is not affecting the children's hospital, it affects the Women's and Children's Health network, because the women's hospital is part of the health service and is equally under pressure from the lack of aged care beds in Victoria. That places incredible stress on that health service.

The other area contributing significantly to pressures on our hospital system in Victoria is the appalling failure of the federal government to ensure there is adequate bulk-billing in general practices in this state. As a result, people who cannot afford to pay the fees for seeing doctors are using our emergency departments. That is affecting the children's hospital, the women's hospital, the Royal Melbourne Hospital, the Frankston Hospital, hospitals in the east and hospitals in the west — hospitals everywhere are being affected by the appalling failure of the federal government to properly support our medical system.

Hon. Andrea Coote — On a point of order, Deputy President, we are discussing the Royal Children's Hospital with this motion; we are not discussing a whole lot of other hospitals all over the place. I ask you to draw the member back to the issue at hand.

The DEPUTY PRESIDENT — Order! Mr Viney is the lead speaker of the government; he can therefore be given some latitude. He is talking about health issues, and health issues, as we know, relate across the different levels of government. He should, however, be mindful of the topic and the need to relate back to the motion before the house.

Mr VINEY — Thank you, Deputy President. As I was saying quite clearly, if the Deputy Leader of the Opposition would care to listen, these matters are affecting the children's hospital. The failure of the federal government to adequately fund bulk-billing has a serious impact on our hospital system across Victoria, including the children's hospital. If people cannot afford to go to general practitioners because of the lack of bulk-billing, then they go to our emergency departments, including the emergency department at

the children's hospital. In fact, the emergency department of the children's hospital is under significant pressure.

From looking at the annual report that was presented to the Parliament just an hour ago I see there were 11 764 attendances at the emergency department of the children's hospital.

I do not have figures on how many of them were affected by the lack of bulk-billing, but I am certain that where families, particularly the most vulnerable such as low-income families, are unable to afford general practice fees, up-front fees, or the gap, they will attend the emergency department of the children's hospital. It is just logical. They want their children cared for and to have some treatment, and if they cannot afford to get it by using a general practitioner because of the appalling federal government policies, then they will go to the children's hospital. By her point of order the Deputy Leader of the Opposition demonstrated her complete lack of understanding of the way patients use hospital systems and of the demands on our health system.

The statistics in the annual report of the children's hospital presented to Parliament just an hour ago demonstrate the level of demand on that hospital. For inpatients in the hospital in that year there were a total of 32 239 separations, and for non-inpatient treatments, a further 254 000 patients were treated at the children's hospital. So there is an extraordinary demand on our children's hospital. It is coping well with that increased demand because of the dedication of the staff and in part because we have been able to lift morale in the hospital by employing extra nurses.

That is not to say there are not pressures and strains on those nurses and medical staff — of course there are; there are pressures and strains on nurses and medical staff across the system. But this government is putting in place the policies and strategies that deal directly with those issues. This government is putting funding into extra nurses, capital facilities, equipment and the management of our hospital systems. The record of this government in these areas is one of making sure it is funding these things in the right way and dealing with the problems as they arise in a very effective manner. Further, a one-off injection of \$8 million into the children's hospital was announced early in October to deal with budgetary pressures that have arisen from the increasing demand I was talking about earlier.

Mr Davis raised matters in relation to cancer facilities and services at the children's hospital. This is a very serious matter, particularly for those families who have their children in the cancer ward. On a number of

occasions I have attended fundraisers for the children's cancer foundation and other groups associated with this area of service in the hospital. I am pleased the government was able to announce in October funding of \$6 million, which will be matched dollar for dollar with fundraising efforts in other areas to rebuild the cancer centre.

The ward is under significant pressure in terms of the number of children accommodated there, but it is a bit much for the opposition to come in here and suggest that somehow these children are not getting adequate or reasonable treatment. That is a really appalling attempt to play politics with a very serious matter for a number of very vulnerable people. In addition to that, the government has announced funding of \$50 000 to renovate the current facilities until the cancer centre is completed. So the government is addressing these matters.

Mr Davis made the fairly spurious allegation that the government was only responding to public pressure. This is clearly nonsense. Mr Davis offered no evidence at all that this was so. He knows full well that planning for these kinds of major capital facilities and improvements takes considerable time. Planning has been under way and operational for some time — there have been extensive discussions and consultations — and the timing has nothing to do with the little bit of press that Mr Davis has been able to generate on the Royal Children's Hospital in the last few weeks.

I want to talk a bit further about the performance of the hospital in relation to its emergency work, because Mr Davis made some comments on this area. In the annual report tabled today — and I think I said it earlier — we find that of 11 764 emergency patients, 100 per cent of category 1 patients received immediate attention in the emergency department. I commend the staff of the emergency department at the hospital for that enormous effort. Of category 2 patients, 85 per cent received treatment within 10 minutes; and of category 3 patients, 75 per cent received attention within 30 minutes. The performance of the hospital is exemplary, but that is not to say that the government does not understand or recognise the pressures that exist in that area.

However, as I said earlier, if the opposition were absolutely genuine about this and was not crying political crocodile tears it would call on the federal government to put some decent funding into our hospital system and not cut funding to the hospital system by \$350 million as proposed in the Australian health care agreement. If the opposition were genuine about this it would have had a proposal that had a

targeted set of matters for a select committee to look at, not a generalised all-encompassing witch-hunt.

If the opposition were genuine about this, it would admit its culpability in bequeathing to this government a health system in crisis. It would admit its culpability in the sell-offs. It would admit its culpability in the sacking of nurses. It would admit its responsibility for the appalling manner in which it left our ambulance system. It would admit its responsibility for the appalling morale that we found in the hospital system. Instead of crying further political crocodile tears about using fundraising efforts for buying equipment, the opposition would admit that it was the opposition when in government that sold off assets to fund our hospital system and left hospitals, like the Royal Melbourne Hospital, completely broke. If the opposition were genuine it would put forward a set of policies on what it would do in government in the health system. All we can go on is the opposition's record of cuts, mismanagement and abuse of people working in hospital systems, instead of its providing support and backing the wonderful staff who work in our hospital system.

The government will not support the proposal before the house to establish a select committee that is nothing more than another example of the opposition using select committees in this place for a witch-hunt. Committees of this Parliament have a very important role in getting to the truth of issues of substance in the community. They have an important role in investigating matters and providing good advice to the Parliament. They do not have a role to be used for nothing more than a political fishing expedition to attempt to generate some publicity for the opposition and some media from Mr Davis in this proposal, probably for little more than the recognition of the instability of the leadership on the other side and positioning himself for that in the longer term. The government will not support the motion before the house. The opposition has misused the processes of parliamentary committees in the past and is proposing to do so again.

Hon. D. K. DRUM (North Western) — I will be speaking in support of the motion before us this morning. I am somewhat disappointed that the government has straight up decided to oppose the motion and labelled it as nothing other than a political stunt. In my opinion that is quite defensive.

Mr Viney made a few claims in his presentation. Having been a parliamentary secretary in the last government, he comes to the chamber with genuine experience within the sector. To claim that the state has

put extra money into the hospitals may be true, but it simply cannot be in any way argued that the government has put enough money into the hospitals. Quite clearly the government has fallen short of the requirements in the health system as it is.

To claim that an all-party parliamentary inquiry, if it were to get up and running now, would have only little more than a month to work through its witnesses and come up with its findings and make recommendations, is incorrect. We have over three months between now and 6 February when we would need to hand down any particular findings. Within that time I am sure the people who would be keen and willing to work on such a review committee would have no issue with working through part of Christmas and the recess if they were able to get their teeth into the financial situation and some of the other managerial and administrative matters of the Royal Children's Hospital (RCH). I am sure there would be ample time to come up with genuine recommendations and findings.

The whole concept of an upper house constituted inquiry certainly appeals to the National Party. We would expect that if the government were to reconsider this situation — obviously it has already said that it will not — we would encourage it to take the majority of positions on the committee, and we would offer the government the opportunity of chairing the committee. All that the opposition parties would ask for is representation on a review committee so they would have access to various people from the departments, the organisations and the hospital. It would give committee members the opportunity to meet people and ask the questions that need to be asked. As the shadow spokesperson on health in this chamber I would like to be involved in a committee of this magnitude.

Mr Viney interjected.

Hon. D. K. DRUM — I am certainly putting up my hand, Mr Viney. Not only would I enjoy doing the work but my constituents would like to have their representative working on such a committee. We all know the Royal Children's Hospital has a strong place in the hearts of all country Victorians, specifically north-western Victoria because of its proximity and the role the hospital plays, particularly its paediatric section.

The committee would obviously be prepared to meet with people and be educated about what goes on. By no means are we underestimating the difficulty of getting to the bottom of the various issues that Mr Viney so eloquently portrayed. When such questions are raised government members always say it is either the fault of

the Kennett government or the federal government. The government has always refused to accept responsibility for the situation we find ourselves in. One cannot deny that there is a real crisis not only at the Royal Children's Hospital but also with Rural North West Health, at Rushworth and other hospitals, but the state's premier hospital, the Royal Children's Hospital, is attracting the majority of interest.

In his contribution Mr Viney said the federal health deal that has recently been struck between the states resulted in a reduction of \$360 million, but the true figure will show that there has been a \$2.4 billion improvement in the current five-year agreement. One cannot continually say the federal government is ripping money out of the state hospital system, because the fact is the money is increasing in never before seen numbers.

In relation to morale that Mr Viney spoke about, when the government came to power it found that the hospital system was at an all-time low. The government has created an enormous amount of pressure on hospital administrators. I commend the government for employing nurses, but it has not fully funded the nurses in any way, shape or form. That is creating financial strain on hospital administrators by forcing them to operate unattainable budgets. The only way they can get their budgets approved is to return profits over the course of the year.

Many hospital administrators are unable to do so with their current budgets which, in turn, create pressures; hence morale in our hospitals is at an all-time low. We must understand and acknowledge there are problems in the hospital system, in particular the Royal Children's Hospital.

It is a shame the government does not want to do anything about the crisis by doing something different that is being offered by a group of parliamentarians in an attempt to get to the bottom of these problems. It has decided to do nothing different from what it is already doing. There is a very good saying that, 'If you always do what you have always done you always get what you have always got'. If we keep getting more of what we have at the moment with our hospitals then there will be serious problems.

I do not believe there is a downside to the motion. We keep hearing that it will waste time and money, but the committee system works well and such a committee will not waste money. Members may have to do a little more work, but the opposition parties are happy to take on additional work if it will get to the bottom of the issue.

Because there are no negatives in the motion there is the opportunity to head off many of the problems before they are created. The government should understand that it has over the last three or four weeks found itself in a precarious situation with the public demanding action. The government has been forced, whether it admits it or not, kicking and screaming to come forward with funding. It has provided funds in some measure, which we are happy to acknowledge, but to have the Premier having being forced by parent groups and sick children to come up with funding there and then is not the way to go.

That is the type of work an all-party parliamentary committee could undertake. It would delve into the budgetary machinations of a place like the Royal Children's Hospital and come up with recommendations that would avoid a situation where the Minister for Health and the Premier are forced to personally go to the Royal Children's Hospital and, out of the goodness of their hearts, come up with immediate funding. Such a committee would avert such action.

A lot has been said this morning about various hospitals, in particular the Royal Children's Hospital and how important it is to rural and regional Victoria. As I said earlier, it is the premier paediatric centre for country Victorians, particularly north-western Victoria. When children are extremely ill there has always been the security of taking them to the Royal Children's Hospital. That great institution is now looking old, ragged and overcrowded, and there are stories of children being turned away, which must be scary for the parents.

I take offence at government members who say that such a committee has a political agenda. The committee will be open and transparent. Opposition members want to help, to be involved and to have an understanding of what makes a hospital of the magnitude of the Royal Children's Hospital go about its work and provide the services that we all love and expect.

The Royal Children's Hospital has a strong relationship with the people of regional Victoria because of the Good Friday appeal. The jar on the corner of the bar that is always the fullest is for donations to that appeal, and it takes pride of place in nearly every country hotel. You cannot go into a country hotel in Victoria without being asked to donate — and not just in the month leading up to the appeal; it is a 12-month appeal. Country Victorians deliver a disproportionate amount of money to the Good Friday appeal, which raises about \$10 million a year.

People do not give money for the hospital's general revenue. If Victorians ever thought the money might go towards the general running of the hospital, they would back out of the Good Friday appeal at 100 miles an hour. The government must be aware of that. It would be an absolute shame if the appeal ever lost its special place in the hearts of Victorians because of what it has the ability to do. We should understand that people give money that they could easily spend in other areas. They do so on the understanding that it will take an already solid and fine institution to the next level of excellence. The money helps to buy some of the cutting-edge equipment that saves lives and creates new life by using surgical techniques and equipment that may otherwise not be able to be purchased by the hospital. We need to make sure that all the appeal money is used for that purpose, and we should never see it being used to pay for services, products or equipment that would normally be covered by general revenue.

The Good Friday appeal has raised almost \$120 million over its life, and that is an enormous amount of money. The people of Victoria, particularly those in country Victoria, need to be congratulated for making such an enormous contribution to the hospital to help look after our kids.

We must also be mindful of the families of sick children. We all know stories about the children of neighbours, friends or one of our own children who have gone to RCH and been beneficiaries of its tremendous service. Now we are being made aware of some of the less-than-satisfactory stories about the RCH. We have heard about families being forced to sleep in chairs in crowded rooms while looking after their sick kids simply because the current situation is not good enough. There have been delays in chemotherapy treatments and cancellations of surgery.

I know a young boy from Bendigo who recently had his operation cancelled with only about a week's notice, and he will now have to wait again. It causes enormous stress and anxiety for young children who wait for months to go to Melbourne for surgery to improve their lives, and all of a sudden their operation is cancelled and they must wait again. So we need to be mindful of those situations and make sure that we not only look after the kids but also the families of the children involved.

I am concerned about the magnitude of the loss in the current financial year of \$25 million to \$28 million and insist that the government does something about the situation. I believe there is a will on behalf of the government to fix the situation, but the National Party is of the opinion that the government could do a lot

more. It is not even contemplating the possibility of an all-party parliamentary inquiry and is certainly not doing anything for the people of Victoria who look to their government for confidence. It claims that it wants to be seen as a transparent and approachable government and yet at the first instance of a crisis at our major paediatric centre and the first opportunity where it is offered an olive branch to work out the problem in a non-political exercise, it turns its back on it.

It is scary when you see hospital property being sold and the profit going into recurrent funding. Again the government has said, 'That is exactly what you guys did', but it really does not matter who is doing it. If anybody is selling off hospital assets and using the money for recurrent funding, then there is another serious crisis. The waiting lists for elective surgery have doubled in the last few years so we must acknowledge that there is a serious crisis at the RCH. We need to do something clearly, efficiently and effectively if we ever hope to change the way things are going at the moment.

We cannot expect the families of kids who are ill and facing trauma to put up with substandard facilities and equipment at our premier children's hospital when the government is clearly bragging about the fact that it now has money in the bank, is in credit, and is talking in glowing terms about its bottom line. How about we start spending it in some of the areas where people genuinely need it? I feel like I am forever getting up in this place to talk about the tough deals that people are getting — —

Mr Smith interjected.

Hon. D. K. DRUM — Maybe it is a pity I was not around, Mr Smith, and that I am a bit naive as to the goings-on of the political past, but I do not really care about the past. All I care about is the situation we find ourselves in now. All I want to talk about is how we can fix the problem. I do not want a history lesson, nor do I want to hear about the federal government. I only want to hear about what this government is going to do with the problems we have now. We have an opportunity to be able to get something done, to reach agreement on a possible course of action, yet all we ever hear is what you blokes did 4, 5, 6 and 8 years ago. How is that going to help fix the problem we have now?

We have a no-lose situation; we cannot lose. There is no downside to this proposal in the motion. There is minimal cost, and there is a minimal waste of time. It is an opportunity to do something that is different and shows you do not care about political persuasions, to get off your high horse and look at some of the benefits

that you may be able to derive from this type of all-party committee that could get to the bottom of some of these problems. It would save the embarrassing situation of the Premier being dragged out to the state's children's hospital and being forced to hand over money in the way he did two weeks ago.

We need to have a very close look at the relationship between the government funding of our hospital system and its charitable funding by the people of the state. There are about five people in my area who run enormous fundraising campaigns to bring together the additional moneys that are needed to offer the Royal Children's Hospital services we expect. We need to have a very close look at that. If the people of Rheola, Inglewood, Dunolly and Boort get an inkling that the money they raise on the special carnivals they run is being used for general revenue, they will back away at 100 miles an hour, just as there is a very real threat with the people on the Good Friday appeal.

Hon. P. R. Hall — It is well supported by country Victoria.

Hon. D. K. DRUM — It is disproportionately well supported, Mr Hall. They put in an enormous amount of money.

I wish that one day members of this chamber would work a bit closer together. This is a no-lose situation. The implementation of an all-party committee to look into the various issues surrounding the Royal Children's Hospital would be win after win. There is very little, if any, downside at all, and I cannot for the life of me understand why the government will not support this motion and do something different instead of going down the same old path where we will end up with what we already have — but worse.

Hon. A. P. OLEXANDER (Silvan) — I rise in support of the motion moved by Mr Davis for the setting up of an upper house body of inquiry. I think it is a very positive move on behalf of the people of Victoria and a very positive move on behalf of the Royal Children's Hospital and the Women's and Children's Health network in Victoria. It is a great source of concern to the opposition in this state that there has been such a clear repudiation of the principle of bipartisanship by government members this morning in this Parliament when the hand is extended to them to work together to find real solutions.

Mr Smith interjected.

Hon. A. P. OLEXANDER — What we have from government members is nothing but derision, denial and delusion. This is what they are doing again in the

hospital network in this state. It is very unfortunate that Mr Viney has decided that his party will not be supporting this motion. That decision flies in the face of what the people of Victoria require this Parliament to do in order to get to the bottom of the worsening crisis in our hospital network generally, but particularly at the Royal Children's Hospital. It is the premier and key hospital in this state for the treatment of children and for paediatric services. The government cannot deny that it has been going through a significant period of crisis and distress which is exemplified in the community and cannot be allowed to continue.

The Liberal Party and our colleagues in the National Party agree that an all-party approach and inquiry to look into this matter and get to the bottom of significant issues is a very positive step in the right direction. Unfortunately, all we have from the Labor Party government is an attempt to play politics and an absolute repudiation of any attempt on its part to work constructively with all interests in this Parliament to find solutions to this problem. That is a very sad thing for Victorians.

Mr Viney referred to a witch-hunt, and it is unfortunate that he has decided to go down that track. He completely misunderstands the intention of this motion which is to look at a crisis that must not be allowed to go on unendingly. It will go on unless specific solutions are found — not band-aid solutions designed for media spin and for the local radio and media. These solutions need to be found for endemic problems at the Royal Children's Hospital and associated health services.

We have already had a revelation that there was a \$25 million budget deficit for the network in 2002–03. We are looking at the probable closing of Ward 8 West, which is the specialist ward for children with disabilities. If that were not serious enough, there has been forced funding of critical capital equipment, including a CT scanner, from the Good Friday appeal funds. This is denied by the government, but in its sophistry it has neglected the fact that while Good Friday appeal funds are being poured into this sort of expenditure, that money should have come from government consolidated revenue. It has reduced concurrently, and with the funds poured in from the appeal, the government is clearly relying on the generosity of Victorians to prop itself up in this sector of the hospital system. That is simply not good enough.

I could talk about the conditions in the cancer ward, which has been a huge area of controversy in Victoria. The conditions in that ward have been described by many parents as barbaric. The conditions are distressing for parents taking their children to seek treatment.

These sorts of issues simply cannot be swept under the carpet by this government. It cannot blame the federal government or the previous government. Labor members must take a look in the mirror and see that they have a responsibility on behalf of all Victorians to solve these issues. By repudiating our approach and this motion today, they are saying, 'We thumb our noses at that; we are not going to work with you on this. We will just go along on our merry way and do what we want to do'. Unfortunately, what they are doing is not good enough.

Children with cancer are being turned away from clinical appointments. There have been cancellations of critical surgery at this hospital. The Women's and Children's Health network has been selling property to fund recurrent expenditure, and more hospital department budget cuts and savings are mooted by the network board. So it has not ended; it is a continuing problem which needs to be addressed. We on the opposition side and our colleagues in the National Party are seeking to address it, but the government is telling us, 'We really do not want you to help. We do not want you to come in on this issue and assist in finding real solutions to ongoing problems'.

There are problems with the funding formula. Happily, the government has announced a welcome but quite narrow review of paediatric care funding, but it is not broad enough and will not look into all the issues that are required to be looked into for the problems in that area to be solved. This is our point: the inquiry we wish to set up will be much broader in its scope and would allow a range of other issues to be taken into account. The problems besetting the Royal Children's Hospital are not narrow problems; they cover a range of issues that need to be addressed. It is shocking to us that the government can simply say on this motion, 'No, we will not look into these issues; we will not work with you; there is no longer a role in this Parliament for bipartisanship or all-party contribution'. That is a very sad day for this Parliament and for Victorians.

Despite belated steps by the government, including the Premier's rushing off with cheques here, there and everywhere with funding injections to try to quell community concern in various hospital networks, including the Women's and Children's Health network, the Liberal Party opposition is genuinely offering the government a cooperative approach to find solutions to this issue. This inquiry should be seen by the government as an open and transparent parliamentary inquiry with members from all parties.

We have acknowledged that the government has the numbers in this place, and the majority part of

government members on this committee. This is not a committee with an agenda. It is not trying to undertake any particular political agenda, and we have acknowledged that the government should have the numbers on this committee, because if we are going to reach genuine solutions to these problems we have to do it cooperatively. Unfortunately, to its shame, the government simply does not see it that way, and it should be condemned for that.

Mr Viney's argument that this inquiry would interfere with his Christmas holidays is an absolute disgrace. It is ridiculous to say to this Parliament that this inquiry will not have enough time to report by 6 February 2004. I cannot understand why, on an issue as important as this, an inquiry could not conduct itself past the official holiday period, which is approximately one week. It is an absolute insult to those parents and children who are undergoing huge difficulties at the moment. It is a disgrace to say to parents and children from all over the state, not only from Melbourne but from every rural and regional community, that it is a bad idea because it will interfere with Christmas holidays. Mr Viney stands condemned. It is beyond belief that such an issue could be relegated to whether or not he is having his holidays during that period.

The opposition certainly would provide its members of that committee and would work strenuously during that period on behalf of the parents and children of Victoria who rely so heavily on this hospital. I am sure our friends and colleagues from the National Party would be so prepared as well, because their interests, as are ours, are with the parents and children and not with personal Christmas holiday plans, as seems to be the case with government members.

It is of concern that this is happening when one considers that the annual report from the Department of Human Services shows that consultancies ordered by the Minister for Health in another place, the Honourable Bronwyn Pike, have risen by \$4.64 million, or 54 per cent, over the last financial year. The minister has clearly failed to monitor or control that expenditure on consultancies at DHS. The figures show that consultancy spending committed by the Bracks government increased from \$8.57 million in 2001–02 to \$13.21 million in 2002–03. The department also reported a \$190 million loss in 2002–03. Part of that loss has to be due to increased consultancy payments.

Over the coming weeks the annual reports of hospitals and health networks will be progressively tabled in the Parliament. The opposition will be watching those carefully because it knows they will reveal massive

deficits around the state in the hospital networks. In fact this morning the Women's and Children's Health network numbers were introduced into the Parliament and they tell a sad story. In 2001–02 the expenditure on consultancies for just the Women's and Children's Health network was \$222 000. In the latest report for 2002–03 that figure has risen to a massive \$1.01 million for consultancies over the past year — and only the consultancies over \$100 000 have been reported. That is four times as much expenditure on consultancies. While children are being turned away from hospital services, spending on consultants has quadrupled in the last 12 months. The figures I have referred to were tabled this morning.

Unfortunately, the government still does not appear to want to come clean on this. The Financial Management Act requires that departments reveal consultancy numbers and the total value in dollars of consultancies of those under \$100 000, and the government has failed to report them. It has breached the Financial Management Act. It has failed to tell us and the people of Victoria how much it is spending on consultancies which amount to under \$100 000, so that could include a \$99 000 consultancy. We know that there are something like 50 or 60 consultancies currently in play, but the government has failed to report them. They were not reported last year either. One wonders why the government is not prepared to come clean on how much it is spending on consultancies and its mates in the hospital system.

It is an interesting fact that Andrejs Zamurs, a chief of staff for the former Minister for Health, the Honourable John Thwaites, is now special projects liaison officer for the current Minister for Health, the Honourable Bronwyn Pike. We know that he made a large donation to John Thwaites's Albert Park election campaign in 2001. It was a donation of \$2000, and we have had a look at the donor to political parties annual return —

Ms Romanes — On a point of order, Acting President, this information is not relevant to the debate at hand. The minister is not in this chamber and is therefore not able to say whether it is true or not. Therefore I ask you to rule this out of order.

Hon. D. McL. Davis — On the point of order, Acting President, it is clear the member is discussing people involved with setting health policy in Victoria, and that is clearly part of the motion before the house. Health policy is part of what this inquiry will be about, including the health policy with respect to the Women's and Children's Health network. Mr Zamurs, who has been involved with setting health policy and in fact has a special projects role in his current position in the

minister's office, would be well within the gamut of this debate.

Hon. A. P. OLEXANDER — On the point of order, Acting President, I am in the process of developing an argument related to the Women's and Children's Health network. Mr Zamurs is linked inextricably with that network. If I am allowed to continue I will demonstrate exactly how he is linked with that network.

The ACTING PRESIDENT (Ms Hadden) — Order! I do not uphold the point of order. It has been a broad-ranging debate. The member has 1 minute and 33 seconds to complete his contribution, and I ask him to do so.

Hon. A. P. OLEXANDER — Mr Zamurs, a well-known and publicly declared donor of significant funds to the ALP, holds and has held significant positions within the department, both under the previous health minister, the Honourable John Thwaites, and the current minister, the Honourable Bronwyn Pike. It is a fact that Mr Zamurs's wife, Kerrie Cross, has just been appointed by the current minister as chair of the Women's and Children's Health network.

The opposition wonders how this appointment came about. We pose the question: are appointments in the Victorian health department today reliant on people's contributions to ALP campaign funds? We presume this family donation — I assume it is a family donation from Mr Zamurs as he is listed on the return and his wife is not — was made in goodwill but has resulted, it appears, in the appointment of Mr Zamurs's wife as the chair of the Women's and Children's Health network. We have a situation where known donors to the ALP are in positions of significant responsibility both within the department and in what is supposed to be an independently run health network, the Women's and Children's Health network.

Ms ROMANES (Melbourne) — I rise to oppose Mr David Davis's motion to appoint a select committee to inquire into the Royal Children's Hospital and the Women's and Children's Health network because it presents very general terms of reference, it is not specific and presents as a political witch-hunt and a fishing expedition.

The opposition is feeding off the recent media publicity generated by some doctors and anxious parents who have been affected by cramped conditions and some cancellations of procedures at the Royal Children's Hospital. But the Minister for Health in the other place,

the Honourable Bronwyn Pike, and the government have taken various steps to take immediate action to address these issues and to address the longer term causes of some of the problems that are facing the Royal Children's Hospital.

I refer in particular to interim funding support in the form of a one-off injection of \$8 million into the Royal Children's Hospital in October to deal with budgetary pressures and a commitment matching the Kids Cancer Support Group's commitment of \$6 million. The interim funding will support the new cancer ward project to renovate current facilities.

But I also draw the attention of members to the fact that patient management systems have been strengthened in recent weeks and that the Royal Children's Hospital has revised its patients' scheduling procedures to prevent cancellation of chemotherapy sessions and patient days. Some of the immediate responses have been through funding while others — and correctly so — have been to re-examine the organisational options that the hospital has to address them.

Although Mr David Davis says he only discovered these problems a month or two ago, before the publicity there were already many actions in progress to try to resolve the Royal Children's Hospital's budget difficulties. The Department of Human Services has been working with the Royal Children's Hospital to more accurately cost some of the complex and specialised paediatric procedures. It is expected that there could be a reallocation of costings in response to that. The Royal Children's Hospital has also been undertaking a review of its operations to ensure they meet the best practice benchmarks. These are in non-direct service areas such as IT systems, public relations resources and administrative support, and there is agreement on the part of the hospital that substantial improvements need to be made.

In addition there are areas within the Royal Children's Hospital where accountability for costs has been inadequate. These need to be made more transparent. I think other members of the house mentioned the \$28 million deficit for the last financial year that has been published in the annual report tabled today. It highlights very much the need for a more rigorous approach to management in the Royal Children's Hospital. That approach needs to be managed and accepted at all levels in the hospital.

I ask members to compare the government's sensible, planned approach to addressing the range of problems that have presented at the Royal Children's Hospital over the last year or so with the approach of the shadow

Minister for Health, the Honourable David Davis, who actually is beginning to appear in the media as a kind of flame-thrower — by staging one publicity stunt after another he is throwing flames onto the situation so as to fan fears and concerns. I contend that Mr David Davis's approach to addressing problems in vital institutions like our hospitals is an irresponsible one.

In this particular case it undermines the confidence of the community in the Royal Children's Hospital. Not only is it irresponsible but it is reprehensible because Mr Davis is preying on the anxieties of parents by creating the false impression of a crisis existing in the Royal Children's Hospital. He is also putting forward a false impression that nothing is being done to address the problems and that there are children not being adequately treated. There are many actions, as I have just explained, that the government is taking in order to respond to the complexities and the difficulties and issues at the Royal Children's Hospital.

Mr David Davis's approach is affecting the reputation of what is a world-class hospital in our state. He is doing that purely to get his fortnightly political grab in the media. The undermining of confidence in the Royal Children's Hospital is a serious matter. It affects the sense of security of parents all over the state. Earlier this morning we heard the Honourable Damian Drum talk about how well regarded the Royal Children's Hospital is by parents in country Victoria. It is a fact that the Royal Children's Hospital is valued across the state. Parents know that it is only a helicopter ride away from their children if they are in urgent need of high-level care. Parents who live closer know that they can also rely on the emergency department. Mr Viney has highlighted the excellent response figures at the emergency department of the Royal Children's Hospital, as published in the annual report today. Parents know that the emergency department will be there ready to attend to their children's needs.

When my sons were children I attended the Royal Children's Hospital on many occasions. We were frequent visitors with one son who was an asthmatic and one who was accident prone. Some years ago I got to know the Royal Children's Hospital very well. One of my sons spent three weeks in the hospital recovering from a life-threatening episode. When he was taken to the hospital we, as parents, did not know whether he would survive that episode, but we did know that he was certainly in the best place and that he would get the best care in the world. That is something that all the parents who have cause to take their children to the Royal Children's Hospital know. We parents in this state are privileged and know that that care is available. I know that is still the case; the Royal Children's

Hospital is a world-class hospital. Doctors, researchers and other medical professionals come from all over the world for an opportunity to work and learn at that hospital.

So the approach Mr David Davis has taken on this matter is one of mischief-maker. It is not his approach to properly inform himself about the health system, to know how it works from the various published documents that are available and to inform himself about what might be done to address the various problems; his is a destructive, rather than a constructive approach, and he is intent on creating fear and a sense of crisis. It reminds me of a story I am sure many parents in this chamber will be aware of, and that is the one about the boy who cried wolf. I contend that in the end no-one will believe Mr Davis and no-one will end up listening to him.

The proposal for a select committee is a flawed one. It is supposedly put forward by the opposition to allow those at the hospital who have some ongoing concerns about what is happening there to come forth and bear witness to those problems. As I said earlier, the government is well aware of the difficulties facing the hospital, and such a select committee would provide no more than what is provided currently by the various processes at the disposal of those doctors or other staff who want to make submissions about how things can be improved.

There are organisational systems for the presentation of information to the board, to the executive and to managers. If staff are not satisfied with those internal procedures, they can access the Victorian Ombudsman or the Health Services Commissioner. Further, the government put in place whistleblowers legislation to enable submissions to be made about practices in government institutions or departments by staff who are fearful but who can provide information with impunity.

There needs to be a very different approach to the media-seeking approach of the opposition in regard to the Royal Children's Hospital. There needs to be sensible planning for future needs. The government has made a commitment to doing the feasibility work on the service planning needs in order to see what facilities will be needed to ensure the ongoing improvement of those facilities at the Royal Children's Hospital in the future.

There needs to be, as in all organisations, continuous improvement of organisational systems and structures in order to provide improved services in the future. All of that sits alongside improved accountability, and it means everyone has to be actively involved in the

process of being accountable for deficits, practices and services as they are delivered in that hospital.

The government is of the view that there is nothing but mischief to be gained from this proposal for a select committee, and it is to be condemned as a wasteful distraction from the professional management of some very complex issues at the Royal Children's Hospital. It is even more troubling that the undermining of public confidence that Mr David Davis is pursuing will be at the cost of the children's hospital in terms of the possibility that it will undermine the public's confidence to donate to the Good Friday appeal in the future. We hope that does not happen, but his lack of support and denigration of the hospital may well lead to that result. I do not support the motion.

Hon. ANDREA COOTE (Monash) — I have much pleasure in speaking to this motion, which is an inquiry proposed by the Honourable David Davis into the Royal Children's Hospital, and to say that this is a genuine bipartisan attempt to address the current crisis at that hospital.

I put on the record at the outset of my contribution the framework in which the Honourable David Davis has proposed that this inquiry would take place. He suggests that it would begin immediately, that it should be a select committee of five members appointed to inquire into and to report on the operation of the Royal Children's Hospital and the Women and Children's Health network, the financial position of the Royal Children's Hospital and the relationship between the Royal Children's Hospital and the Women and Children's Health network and the Department of Human Services. He said it should have three members and should begin immediately and report on or before 6 February 2004.

The Liberal Party genuinely wants a resolution to this crisis, and it offers a bipartisan solution. It is astonishing to hear the government today speaking on this issue and about the Royal Children's Hospital as something that can be glossed over. It cannot be glossed over; it is far too important. I remind the chamber of what an icon the Royal Children's Hospital is to both Victoria and to Australia. It has a worldwide reputation as a centre of excellence, and we are now seeing a very sad state of affairs where it is in both a financial and a management crisis. It is imperative that we set up an inquiry to deal with this issue, just as the recommendation of the Honourable David Davis says.

I want to refute some of the things that Mr Viney had to say in his contribution. Before I do, it was interesting to hear him acknowledge that the cancer ward at the

Royal Children's Hospital is under pressure, given the number of children there. He went on to say that hospitals should be clean and safe. I have in my contribution some examples of where it is not as clean and safe as he seems to think it is. He said there should be security in recurrent funding. There is not a lot of security there at the moment. The hospital has a \$25 million deficit — he should have used his words a little more selectively than talking about security in recurrent funding.

He also went on to talk about bipartisan support and to blame the commonwealth government. That is a hallmark of this government: if it is in a corner, what does it do but lash out and blame the commonwealth government yet again. But it has to look no further than its own backyard, at the \$352 million the government is going to spend on a monument to the Premier, Steve Bracks, and the Minister for Health, Bronwyn Pike. We have it right here: a \$300 million lease on an ivory tower Taj Mahal for the health department with a \$52 million fit-out. The \$52 million for the fit-out could have provided a number of other highly needed pieces of equipment which could have fixed the cancer ward and done a whole range of things; but no, we are going to have a monument to the Premier and the health minister. It is just not good enough. Where are the priorities? There are absolutely none!

Mr Viney then went on to talk about the previous government closing hospitals. I would like to ask this government about the Warracknabeal hospital, which has suspended surgery and obstetrics; the Hopetoun hospital, which has closed its catering; and the Rushworth hospital, which is under threat. The list goes on, but I have to remind the house that these are from rural and regional Victoria, that rural and regional Victorian hospitals are under threat and their hospital services are under threat by this government.

I would like to know what Mr Viney means when he talks about the last government being insolvent when the Bracks government inherited a \$1.8 billion surplus. I remind the chamber about the Standard and Poor's warning this week, which was very salutary. Read the fine print and look. The Women's and Children's Health network has just sold a property on the corner of Faraday Street because, as we know, the hospital is cash strapped.

We also heard from Ms Romanes, who said there is a feeding frenzy involving some of the affected parents. It was a derogatory comment. These parents are under enormous stress and it was highly offensive to hear her speak about a feeding frenzy. It was appalling. However, she did admit that the rescheduling has been

reassessed in recent weeks. How interesting is that? We have the minister coming out and finally looking at things, with pressure from the community.

Ms Romanes also went on to say that accountability of costs was less than adequate. This is coming from the Bracks government's own mouth; it is very interesting to see!

As I said, the Royal Children's Hospital is an icon for Victorians. All of us care about the security of our children and our younger family members. We want to know we can go there with security and that they will be looked after with world best practice. Until now that was certainly what we experienced. But the Bracks government has become complacent. The Premier said he is too busy to visit the hospital, that he cannot make time until next year. We got a belated visit from the minister last week, but the Premier is not anywhere to be found.

Minister Pike's own comments about the hospital inquiry are interesting too. I quote from an AAP news report of Friday, 24 October:

Victorian health minister Bronwyn Pike conceded conditions were 'tight' in the cancer ward of the Royal Children's Hospital after making a surprise visit today.

Some parents are affected. Alistair and Claire Ewart, who very sadly have a little girl called Amelia who is undergoing chemotherapy, are under an enormous amount of stress. Mr Ewart said that the Premier said he would visit the hospital as soon as he could, but would not commit to a date. Mr Ewart said he was very unhappy about that. He said that the Premier was 'gutless for not fronting up to Victorians' and that:

Parents need Steve Bracks to be there, he's a can-do Premier, and he's not doing anything to help us.

The Premier is probably doing too much looking into the fit-out of the Taj Mahal.

There are three sets of problems dealing with this hospital. One is the problem of the financial segment and, as I have said before, there is a \$25 million deficit. The hospital had to sell property to fund recurrent expenditure and the network has flagged that there will be significant budget cuts and savings in hospital departments. There is a problem, as we know, with funding the formula, and the Auditor-General has said that the Women's and Children's Health network failed three of the four key financial tests. This damning indictment of what is happening at this hospital has come from the Auditor-General of this state!

The other problems are personal, and when we talk about these issues we have to understand what that

means. We can talk about various figures and what is happening and they are bad enough, as we have heard from the Honourable David Davis's contribution. In 1999 there were 94 people on the waiting list for urgent elective surgery at the Royal Children's Hospital; and there is now an increase of 102 per cent. There were 1186 people on the waiting list for non-urgent elective surgery in June 1999, and 1380 this year — a 16.4 per cent increase. The source was the *Hospital Services Report* for June 2003.

Each one of those statistics is a person. It is important for us to know that we are dealing with children at the Royal Children's Hospital — sick children, children and their parents and their families, who are indeed having a very confronting time.

I would like to read a couple of the examples. Susan Pope's daughter, Charlotte, has lymphoma. I quote from page 5 of the *Sunday Age* of 2 November:

We were put straight into the oncology wing. I'm used to it now but when you haven't seen a child with cancer before it's very confronting — especially when your child is sick, too. You see the worst. You don't see any good ...

The article goes on to talk about a nurse, and states:

With a background in nursing, Julie Clements, 44, says she should be used to death. 'But I don't think you can ever get used to the idea that your child might die ... It's not the way things are meant to happen.'

These are personal experiences of people whose lives are being affected in the cancer ward in the Royal Children's Hospital by a negligent government today.

I have referred to figures for cancellations. When we look at cancellations we see that behind every story of cancellation is the expectation, the fear and the nerves of a parent facing a significant operation for their child. It is almost cruel when these operations are cancelled. The people are under huge stress, they have to deal with a whole range of other issues, and then it is cancelled.

An article in the *Herald Sun* of Thursday, 30 October, says under the heading 'Children's hospital facing more cuts':

Royal Children's Hospital staff are being ordered to slash costs further despite patient care buckling under a record funding crisis.

...

Alison Byrne, whose son Benjamin ... has had four cardiac operations at the hospital, said cancellations were emotionally devastating.

It's just horrendous ... she said.

You have to juggle and organise babysitters, and grandparents come over, and you get all prepared and then you get the

phone call saying, 'It's been cancelled, sorry, there's no beds.'

How difficult that must be. I encourage all of you to think about that.

Mr Viney referred to the Good Friday appeal and the money taken from that appeal for a CT scanner, and he said that was in the charter of the Royal Children's Hospital foundation. Foundations do things over and above what governments are supposed to do. There is always very much a fine line, but if you have a successful fundraising activity, the government, especially a cash-strapped government, should not come in and take that money and build it into the budgetary process. That is what this government is doing. The hospital should be using the money gained from the Royal Children's Hospital Good Friday appeal for cutting-edge material and equipment — items it is not normally able to get. The hospital should buy equipment, fund research and ensure that it stays as one of the world's leading paediatric institutions. An article in the *Herald Sun* of Tuesday, 28 October, says:

This is why every Easter the community responds with overwhelming generosity to the Good Friday appeal, sponsored by the Herald Sun, Channel Seven Melbourne and radio station MIX 101.1.

All of us have supported the Good Friday appeal, and we are expecting the Good Friday appeal money to go directly to where it is needed to ensure that this hospital stays at the very forefront of world best practice.

I commend the motion and call upon the government to be brave, to take up the cudgels this time and support this motion. It should take it for the bipartisan solution it is. We all want the Royal Children's Hospital to continue to be a first-rate institution. It is iconic for Melbourne and for Australia, and we want to keep that. I commend the motion.

Mr SMITH (Chelsea) — I rise to speak in opposition to the motion proposed by Mr David Davis. I do that with a bit of history and background of defending and attacking those who would attack the Royal Children's Hospital. I refer to my experience 10 years ago, when some of the lunatics in Trades Hall tried to have the McDonalds facility banned because of their opposition to the American multinationals et cetera. I took them on — and won — and the Royal Children's Hospital, and more importantly the kids, benefited significantly from having that facility available. That attack was puerile. In my view it was not much different to that which has been presented by Mr Davis today with this motion.

The motion is a sham and an absolute disgrace. It is clearly an attempt on his part to gain some sort of publicity. We know he is good at seeking publicity to further his own ambitions and career within the opposition. My advice to Mr Davis would be to think long and hard about attacking the Royal Children's Hospital, because there have not been too many who have succeeded. One thing the Victorian public knows about the Royal Children's Hospital is this — it is sacrosanct. They will not tolerate the sort of publicity-grabbing attempts by Mr Davis and the opposition that would in any way impact on the performance of this hospital.

We have heard it mentioned from the opposition — rightly so — that this is an icon. It is not just a Victorian icon; it is a world icon. The Royal Children's Hospital has an outstanding reputation for its performance and the good work it has done since it was built I believe some time in the 1950s.

I could easily get a little emotional in my contribution in defence of the Royal Children's Hospital because of my background. Unlike the opposition, I have been in the cancer wards for some time with my daughter, who happened to reside in ward 6E for some time as a leukaemia patient. I know the difficulties, distresses and pressures the staff are under, and so on. While it is very confronting, as the previous speaker said, in all the tragedy and the heartache there is one thing I do see — that is, light at the end and the results on the board of a magnificently performing institution which is extremely successful — not as much as it would like to be, obviously. Hence I believe some of the problems that have been created today — and they are there, we know that — are the direct result of the outstanding success it has had.

The fact of the matter is that more children are surviving now than ever before in facilities that are not built or necessarily designed to cope with the patient numbers they currently have. It is a wonderful testament to the performance of those professionals and the equipment they have that they are so successful. That has clearly put pressure on administration and finances, and so on. But this government recognised that, and last year its financial statement allocated \$2 million for a professional assessment to be made on the hospital's performance, needs and in particular the building of a new facility.

I would have thought that was a professional way to go about addressing these problems. The opposition clearly has a different view. It thinks it is an opportunity to grandstand, get publicity, and ride on the heartstrings of people who are in a desperate situation. I know the

pressure that parents are under. They go there and will grab on to anything that gives them some hope or comfort. I have to say — and I think I am entitled to say — that I have never heard of parents complaining so publicly about the standards of the hospital. I am affronted by anyone who suggests that it is a barbaric facility. It is not. That, in my view, is an insulting turn of phrase or comment to make, not just about the hospital but about everyone associated with it.

Barbaric? God! It is an outstanding facility. To my way of thinking, what is important is: does it have professional and well-trained staff? Does it have the equipment, and so on? The answer is: yes it does. It may not have everything that some people want, but at the end of the day I have to admit that sometimes parents react quite differently under extreme pressure when it comes to their children. I would hate to think that people are overreacting to what has been happening of late.

I started by saying that this is nothing but a publicity-seeking attempt by Mr Davis to enhance his political career. One thing that can be said about Mr Davis is that he is consistent. Recently the Family and Community Development Committee conducted a private meeting with the advisory body to the committee in the boardroom of the hospital. What did Mr Davis do? He tried to sneak the media in the back door. Unbeknown to anyone there and unbeknown to the committee — —

Hon. D. McL. Davis — On a point of order, Acting President, Mr Smith has made a series of inaccurate statements that relate to an incident at the Royal Children's Hospital where he sought to ban the media from a public hearing, which was inappropriate. He ought to have been disciplined in some way for it. I do not believe that what he has said is a satisfactory description of what occurred, but I believe he banned the media, and I ask you to instruct him to withdraw his statement.

The ACTING PRESIDENT (Ms Hadden) — Order! I do not uphold the point of order.

Mr SMITH — Without any consultation with me as Chair of the committee or without any notification to the staff of the hospital or the other committee members, Mr Davis sneaked the media in and did not introduce them. I asked the media to be removed, because I was not going to allow that sort of publicity grandstanding to take place.

Hon. D. McL. Davis — It was a disgraceful attempt to throw the media out.

Mr SMITH — Let me tell Mr Davis — and I sought advice from the Speaker — that he is wrong! I note that there has been no media present at any other meeting we have had with Mr Davis and a committee. They at least learnt their lesson. Mr Davis proved yet again that he is a publicity seeker and nothing else. Worse, he has no class.

Numerous speakers from the opposition parties have suggested that in some way it was improper for funds raised through the Good Friday appeal to be used to buy equipment. Good grief! What do they think the money is being donated for? I along with, I would argue, everyone in this house have donated to the Royal Children's Hospital Good Friday appeal in the knowledge that the funds would be used in any way that administration saw fit — in any way that benefited that hospital and those kids in particular.

With technology being what it is today and the advances that are being made, equipment is changing and improving rapidly, and everyone wants the latest and greatest they can possibly get. Fair enough. But is it reasonable to expect that the government should fund every piece of equipment in that hospital when the general public donated very generously to the appeal to be used in any way the hospital saw fit? I do not think so. The administration of the hospital is more than equipped to handle the donations in a professional manner. For that lot opposite to suggest otherwise is a disgrace.

Hon. D. McL. Davis interjected.

Mr SMITH — I would like to think Mr Davis knew better and that his leader actually showed some leadership and stopped this ridiculous motion being moved. But no, they are all tarred with the same brush!

Let us talk about the comparison between the lot opposite when they were in government and the Bracks government. All of a sudden they are born again saviours of the public health system — they have seen the light — but it only took them four years, and they are not halfway there yet. It is worth noting that at least they are trying.

The opposition's federal colleagues, who have short-changed Victoria by \$357 million in health, ought to play the game. Victorians deserve more. We pay our taxes to the feds and we deserve more than what we are getting from them. Being short-changed \$357 million is a disgrace. It is a political stunt. It is a tactic employed by those opposite to try to wind down the finances of a well performing — a great performing — financial

manager, the Bracks government, but it is not going to work.

Let us look at our achievements. The budget for 2003–04 for Women's and Children's Health is \$226 million, which represents an increase of \$42 million or some 20 per cent since the Bracks government was elected. In particular, 158 extra nurses, and we know that we have recruited another 4000 nurses — —

An Honourable Member — How many, Mr Smith?

Mr SMITH — Four thousand. That lot over there sacked 2000 nurses, but we employed 4000. Their commitment to health compared to our commitment to health is a no-brainer. They have no credibility.

Since 2000, \$1.2 million has been directed to equipment grants — that is, cardiac monitoring equipment for \$348 000, 30 syringe pumps for \$90 000 and a fluoroscope for \$770 000. Recently completed capital works projects include: an acute clinical services redevelopment of \$15 million; a fire risk management strategy of \$4.8 million; angiography equipment for \$1.5 million; and various works in intensive care of \$1.5 million.

Of recent times there has been a one-off injection of \$8 million into the Royal Children's Hospital to deal with budgetary pressures. That harks back to what I was saying earlier, that the success the children's hospital is having — and obviously the only way you measure success is by the health and wellbeing of the patients and the number of children the hospital actually saves et cetera — is putting enormous financial pressure and difficulties on administrators.

We know that some administrators are not happy with the scrutiny and pressure being applied to them to perform with alacrity when it comes to taxpayers dollars; hence we have some leakage to the opposition, which has jumped all over it and is now grandstanding. It does not alter the fact that the Royal Children's Hospital is performing and performing exceptionally well. Its replacement is in the pipeline, and the government has already allocated funds.

The Royal Children's Hospital carries out cancer services, and a loose group of parents who have links to the Royal Children's Hospital Foundation have pledged to raise funds dollar for dollar with the government's cash injection. Last week the Premier allocated \$50 000 for a spruce-up and a paint job to brighten up the place — some window-dressing — that will not go astray, particularly with the kids because they like to see the bright colours and the like, but it will not make

any difference to the standard of quality care and professionalism the current staff members provide.

I turn to key statistics. Mrs Coote spoke about what the opposition had done, accused the government of closing hospitals and talked about the shortcomings in public health. The opposition when in government closed 12 hospitals, sacked 2000 nurses, closed 1000 hospital beds, plundered the cash reserves of public hospitals and left them bankrupt. Waiting lists increased by 22 per cent in the last two years of the Kennett government, and ambulance bypass increased by 359 per cent. The motion is a disgrace and should be defeated.

Hon. D. McL. DAVIS (East Yarra) — It is a pleasure to conclude this important debate, one that the opposition has sought to be constructive and to find a way through the current crisis that faces the Royal Children's Hospital. It is clear there is a massive financial problem at the Royal Children's Hospital, as there is across the whole of the Victorian hospital system. The Minister for Health and the government have to accept responsibility, notwithstanding Mr Smith's extraordinary contribution, for the massive deficit — somewhere between \$70 million and \$80 million in the red — for our Victorian hospitals for the financial year to 30 June 2003. It is extraordinary that the Royal Children's Hospital, the subject of the motion today, would record a consolidated deficit of \$22 million-odd and a deficit of \$28.41 million for ordinary operating activities. That is our premier children's hospital in deep financial crisis.

What we also heard today is a clear exposition of the fact that it is not only about the financial situation of that hospital or of the other hospitals that reported to the Parliament today, it is about the people, the patients and, in particular in the case of the Royal Children's Hospital, the children who are treated by that hospital and who will be treated into the future. It is clearly unacceptable for the situation to continue. It is clearly unacceptable for the minister to try to distance herself from the mismanagement for which the government is clearly responsible. She needs to step forward and accept responsibility. She needs to work with the government, with the opposition, with all members of Parliament, to find a solution such as we have laid out today — a short, sharp inquiry.

As we heard only today, \$25 000 is the amount allocated for inquiries by this chamber in the year. It is a small amount of money that would enable a short, sharp inquiry to get to the bottom of the problems at the Royal Children's Hospital: the problems of its relationship with the Department of Human Services;

the way it is being nobbled and hampered by the Department of Human Services; and the way the government has not adequately and properly funded the Royal Children's Hospital. It is true that the government has an inquiry into funding of paediatric services, but this approach will enable a broader and more encompassing examination of the problems facing the Royal Children's Hospital and its funding crises.

These funding crises will result in an enormous reduction in services, which we are already seeing in the cancer ward, such as the run-down of services in the orthopaedic ward, the run-down in services in the neurology ward and the forced access to the Royal Children's Hospital Good Friday Appeal money by the government to fund a scanner and other capital equipment that should properly be funded out of recurrent expenditure. It is wrong that the hospital has been nobbled by the government; it is wrong that the hospital has been nobbled by the minister; and it is wrong that the Bracks government has not cared enough to step forward and properly sort out the difficulties at the Royal Children's Hospital.

I see Mr Smith entering the chamber. I found what he said earlier to be so misguided and inaccurate as to be laughable. It is clear that what he did by throwing out the press at the Royal Children's Hospital public inquiry was because of the government's extreme sensitivity about its mismanagement of that hospital. A *Herald Sun* journalist was kicked out of a public inquiry in one of the most disgraceful examples of an attempt to gag, nobble and hinder the exposure of terrible facts that should have properly been on the public record. When that transcript comes out you will hang your head in shame.

The PRESIDENT — Order! Through the Chair.

Hon. D. McL. DAVIS — I make it clear that what Mr Smith did was undemocratic and disgraceful. It is the sort of gag that the government has tried to apply to public information. We know what the government does to nobble inquiries; we know how it massages inquiries; and we know how it stops information getting out, and Mr Smith allowed himself to be part of it.

I make it clear that the opposition is very keen to have this inquiry. Opposition members believe this is a bipartisan — —

Hon. D. K. Drum interjected.

Hon. D. McL. DAVIS — Indeed, Mr Drum, an all-party inquiry to get to the bottom of the problems

and to report swiftly and cheaply in a way that will advantage the future of Victoria's children.

House divided on motion:

Ayes, 19

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

Noes, 24

Argondizzo, Ms	Madden, Mr
Broad, Ms	Mikakos, Ms
Buckingham, Ms	Mitchell, Mr
Carbines, Mrs	Nguyen, Mr
Darveniza, Ms	Pullen, Mr (<i>Teller</i>)
Eren, Mr	Romanes, Ms
Hadden, Ms	Scheffer, Mr
Hilton, Mr	Smith, Mr
Hirsh, Ms	Somyurek, Mr
Jennings, Mr	Theophanous, Mr
Lenders, Mr	Thomson, Ms
McQuilten, Mr (<i>Teller</i>)	Viney, Mr

Motion negatived.

Sitting suspended 1.13 p.m. until 2.12 p.m.

QUESTIONS WITHOUT NOTICE

Gascor: dividend

Hon. ANDREW BRIDESON (Waverley) — I direct my question without notice to the Minister for Energy Industries, the Honourable Theo Theophanous. In reference to the results from Gascor published in its 2002–03 annual report, can the minister tell me why, when Gascor's profit has been cut by nearly three-quarters to only \$25 million in 2003–03, the government's dividend from the organisation has remained almost unchanged at \$59 million, and does the minister believe that is fiscally responsible?

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — Gascor is the organisation which remains unprivatised following the flawed privatisation which took place under the Kennett government. It was a privatisation which resulted in the gas industry being left with a monopoly situation with one provider of gas. That ultimately led to what happened with Victorians having to do without gas for two weeks, because there were no alternative sources of gas for this state. That is

what was left to us, and as part of that Gascor was the body that remained in government hands.

Hon. Bill Forwood — Doing what?

Hon. T. C. THEOPHANOUS — Mr Forwood should know because he should have read the annual report. I am surprised he did not ask me the question — actually I am not surprised because he rarely gets a question from his side!

What I can say is that Victorians have had to endure privatisation by the Kennett government, which has resulted in a monopoly being established over gas and electricity — that is correct — and it also resulted in a circumstance where there were no alternative sources of gas apart from out of Longford. That was the only source of gas; it was a monopoly position, and that was one of the reasons that we were left with no gas at all for two weeks in this state.

Hon. Bill Forwood — You have already said that. Answer the question.

Hon. T. C. THEOPHANOUS — I know Mr Forwood does not like hearing it, but I am going to keep saying it; it was one of the reasons. It is not just about gas; it involves electricity, nurses, teachers, community services and all of those things. No wonder so many people have told me that Jeff Kennett deserved a clip over the ear for all of that! Let me say that the dividend in relation to Gascor is established by Treasury at an appropriate level each year.

Supplementary question

Hon. ANDREW BRIDESON (Waverley) — I appreciate the fact that the minister was unable to answer that question, so I ask: with the Bracks government under increasing pressure, will the minister be supporting an even greater dividend payment from Gascor this financial year?

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — I need to answer this question in this way: under the previous government we had a circumstance where no control was going to be put in place for prices in this state, so that when it privatised the gas industry it did not even make allowance for protecting Victorians from price increases.

I can tell you one thing: whatever dividend is set by Treasury in relation to Gascor, we are determined to protect Victorians from excessive price increases. That is why we have put a safety net in place to ensure that protection. Whatever the opposition might say, we will be protecting Victorians from the excessive price

increases that would have occurred under its previous regime.

Fuel: ethanol labelling

Ms MIKAKOS (Jika Jika) — My question is addressed to the Minister for Consumer Affairs, Mr John Lenders. Will the minister advise the house whether the commonwealth government has stuck to its promise to implement a national labelling scheme for ethanol-blended petrol at the pump by 31 October?

Mr LENDERS (Minister for Consumer Affairs) — I thank Ms Mikakos for her question and for her ongoing interest in protecting the rights of consumers to know what additives are in their fuel. In, short, the answer to her question is, sadly, no. The commonwealth has wshed on its agreement to put in place by 31 October labelling standards for ethanol across Australia.

I have informed the house of this before: it is a sad, sorry saga that the commonwealth has procrastinated, dilly-dallied, delayed and used every device possible to avoid making a decision on this issue which is so important to business and consumers — the labelling of ethanol in fuels.

As we know, and as the house has certainly been aware for some time now, there is concern among consumers about the labelling of ethanol in fuel. The Victorian Bracks government listened and acted because it could not wait for the commonwealth to handpass the decision from minister to minister as it did between Minister Kemp, Minister Anderson and Parliamentary Secretary Campbell. The state Labor government could not wait while the commonwealth called for uniformity and action but did nothing, because it could not stand up to the ethanol suppliers who were mates of the Prime Minister. It did nothing, because it could not make hard decisions, and in the meantime Victorian consumers were left in the lurch. Only because of the action of the state government was there certainty in this state from the start of May, when at every bowser in Victoria where ethanol is used in fuels, consumers are warned.

It is sad that the commonwealth government, supposedly so committed to federalism and discussion, will not talk to the state that represents 25 per cent of consumers and businesses in this country. The commonwealth government sets up more and more inquiries. I put a submission into the Senate inquiry to try to assist. We have suggested to the commonwealth on numerous occasions that it may wish to take up Victoria's offer and talk to Victoria about the

consumers and businesses we have consulted and about our process of taking action on those consultations so we have an efficient form of labelling that is low on regulation, low on cost to business, low on cost to consumers and already has sign-off by stakeholders in this state, but the commonwealth is not interested.

We may ask why it is not interested. I suggest that the reason it is not interested is that it does not like the answer coming from Victoria. It does not like the fact that a state government can listen and act decisively, and then move and protect consumers.

The commonwealth wishes to reinvent the wheel, and it continues to do so. Not only that; it reinvents the wheel badly so that it now has business and consumers concerned about its lack of direction and churlishness. But the commonwealth government will not focus on this issue. I hope that now that Senator Campbell has moved on to greener pastures, the new commonwealth minister responsible will pay some attention to this. I hope he will engage Mr Kemp and Mr Anderson in focusing on this critical issue, to draw on the strengths of this quarter of the country that already has ethanol labelling in place and to draw on the strengths of New South Wales which is now on board because this government has listened and acted. We hope the commonwealth government will listen, act, stop procrastinating, stop shilly-shallying, stop dithering and get on with the job!

Small business: redundancy payments

Hon. B. N. ATKINSON (Koonung) — I direct my question to the Minister for Small Business. Does the minister support the extension of federal award redundancy package provisions to small business?

Hon. M. R. THOMSON (Minister for Small Business) — The Victorian government has not taken a view on the redundancy packages paid to small business. It has not made any submission in relation to that and has no formal position on the establishment of redundancy packages for small business. We understand the importance that small business plays in the Victorian economy. The government has been working to support small businesses to grow their businesses through the programs it runs in Victoria, to support them to better run their businesses in areas where they may lack expertise, and also to support them in a number of ways, whether it be through the provision of the Small Business Commissioner or other legislation that has been put in place to secure the future of small business in this state.

We are proud of our record with small business. We are conscious of the important role that small business plays in this state and will continue to look after the interests of small business.

Supplementary question

Hon. B. N. ATKINSON (Koonung) — I would have to question the accuracy of the first part of that answer. As a supplementary question I ask the minister what investigation she personally undertook into the impact of the Australian Council of Trade Unions redundancy test case before the Australian Industrial Relations Commission on small business in order to establish her support for the Bracks government's submission to the AIRC on this test case?

Hon. M. R. THOMSON (Minister for Small Business) — As I have already indicated in relation to the issue of redundancy payments by small business, the government in its submission was silent. It did not state a view on that. Therefore I think the question is answered.

Gas: competition review

Hon. R. G. MITCHELL (Central Highlands) — I refer my question to the Minister for Energy Industries. Can the minister inform the house of the latest developments in the increasingly competitive Victorian gas production sector, and is the minister aware of any alternative policies?

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — It is great to get a question from another Broady boy!

I refer to a recent review of gas market competition by the Essential Services Commission. That review has placed Victoria at the forefront of the Australian gas industry. This is good news; it is terrific news for Victoria. Victorians can be confident that the gas industry is developing both in terms of its competitiveness and its diversity. That has come about because the Bracks government's active promotion of Victoria's sound investment climate, innovative and skilled work force and wealth of resources, continues to deliver results — and it has delivered results.

There are new players in gas production including TXU, Woodside and Origin. Other players, such as Duke Energy, have built pipelines in Victoria. This means hundreds of new jobs.

Hon. C. A. Strong — Who brought those in? Gas privatisation brought those in, and you know that.

Hon. T. C. THEOPHANOUS — Actually privatisation did not bring them in, Mr Strong. Following your privatisation of the gas industry absolutely nothing happened in this state other than that people were absolutely petrified as to the level of price increases that were going to occur under your regime. That is about the only thing that happened.

Let me tell Mr Strong what has happened as a result of this government's actions in relation to the gas industry. New investments have resulted in gas finds in the Otway and Bass basins. This occurred not during the course of the Kennett government but during the course of the present government. The development of these resources includes the pipelines which have been brought down from New South Wales, pipelines which now connect us to Tasmania, and a pipeline which connects us through to South Australia. I know Mr Davis does not like this. He does not like hearing the good news. All these things have occurred, whether Mr Davis likes it or not, during the time of the Bracks government.

The Essential Services Commission chair has been so impressed with what has taken place in relation to diversity and competition in the gas industry that he has made recommendations in his report for the repeal of the so-called significant producer provisions, which were introduced at a time when only one gas producer, Esso-BHP, dominated the production of gas. As I said, there are now a large number of diverse sources of gas, and he has made recommendations about that which the government will consider and respond to in due course.

**Information and communications technology:
broadband access**

Hon. B. W. BISHOP (North Western) — My question is to the Minister for Information and Communication Technology. A recent submission to the customer access network demonstration program from Telstra Country Wide and 11 municipalities across western, north-western and central Victoria that would have improved and made available asymmetric digital subscriber line (ADSL) broadband for residential and business services has been rejected by the government on the basis it was not innovative enough. I therefore ask the minister what advice and assistance she can give to these municipalities in their endeavours to improve their Internet services.

Hon. M. R. THOMSON (Minister for Information and Communication Technology) — I thank the honourable member for his question. I have similarly answered a question in relation to this issue. We are hoping to achieve from the customer access network

(CAN) projects that are out now the opportunity to learn a little more about what kind of technology can be utilised and will work in areas that otherwise do not have access to broadband that they need to do business, or for the general public to use, because now there is a greater demand on band width for a whole lot of activities that you might undertake on the Web.

We are hoping that a business case will come out of these project models that will enable other telecommunications companies to look at new ways to enter the marketplace in which they have not been active. We are hoping that by using these innovative projects we can demonstrate that there is a way in which broadband can be developed into those places that do not yet have it.

I reiterate, however, that communications is the responsibility of the federal government. We would like a regulatory environment that promotes more competition and creates an environment that will see more telecommunications companies prepared and able to participate in providing these kinds of services to country and regional Victoria. However, we need Telstra to provide some of the information that it has available as the provider of networks that at the moment is not available to other telecommunications companies to build the business case and provide those networks. Real issues have to be addressed. We still need to see a proper developed framework and an implementation strategy for broadband across the country, not just here in Victoria.

We hope what we are putting in place will provide some information to telecommunications companies and will make it more viable and create at least an environment where there is some information available on a business case and on the kinds of technologies that can be used to promote that business case to develop access into those communities.

Supplementary question

Hon. B. W. BISHOP (North Western) — We acknowledge that it is a shared responsibility between state and federal governments. But there seems to quite a bit of confusion about the programs that are available. Would the minister commit to making available officers from her department to work through with Telstra Country Wide and the 11 municipalities to ensure that we get a reasonable shot at improving communications across that part of Victoria which is sorely in need of those world-class communication processes?

Hon. M. R. THOMSON (Minister for Information and Communication Technology) — Telstra is the largest telecommunications company in Australia and quite able to invest in infrastructure in this state to provide its customers with access to ADSL. We are more than happy to facilitate discussions between Telstra Country Wide and the councils, but ultimately it is a commercial decision that Telstra Country Wide has to make based on the business case and also a reminder to Telstra of its social obligations to provide infrastructure. More importantly, it is up to the federal government to create an environment that will encourage all telecommunication companies to look at providing the kind of infrastructure that is required of citizens not just in Victoria but around Australia. Until we have got that regulatory environment in place we are all going to find it difficult to get that infrastructure into some communities.

Aged care: residential places

Ms ROMANES (Melbourne) — I refer my question to the Minister for Aged Care, Mr Gavin Jennings. I refer the minister to the increasing difficulty in maintaining residential aged care places in the inner city area. In the past year the Brunswick community has lost the Church Nursing Home. Bailly House, a 41-place hostel in North Melbourne, has announced its closure, and Harold McCracken House in North Fitzroy has also foreshadowed its closure. I ask the minister what steps the Victorian government is taking to pursue the maintenance of sufficient residential aged care places in inner city suburbs with the commonwealth government?

Mr GAVIN JENNINGS (Minister for Aged Care) — I thank Ms Romanes for her question and her concern about the wellbeing of the older members of the community who have every right to expect residential aged care when they need it. I am sure that this chamber well and truly remembers that there are nearly 4500 nursing home beds short in the state of Victoria of the commonwealth benchmark. Members of this chamber would know that it is the commonwealth's responsibility to make sure that there is a take-up of those licences and the provision of beds into the future.

The three cases that Ms Romanes referred to highlight the problem confronted by communities in the inner urban area of Melbourne. Recently there have been three impending closures announced. They have been the Church Nursing Home in Brunswick, the Harold McCracken House in Fitzroy and Bailly House. In the case of the last two facilities the service providers are looking at ways in which they can redevelop residential

aged care on the outskirts of the metropolitan area where land prices are not so exorbitant and in fact prohibitive in terms of residential aged care.

There is an ongoing problem about the size and viability of residential aged care in the inner urban area. In fact the majority of facilities in the inner urban area are small. The commonwealth subsidies and the fee structures that apply to residential aged care benefit larger facilities and disadvantage small service providers. It is very difficult to identify how this issue can be addressed.

As members of the chamber would know, the Victorian government has made a submission to the commonwealth about the ways it could address these problems, but to try and elicit more knowledge and more innovation and sharing of some ideas I am happy to be convening a meeting on 13 November of six local municipalities in the inner urban area — Melbourne, Yarra, Moreland, Moonee Valley, Port Phillip and Stonnington — along with the peak bodies, the Municipal Association of Victoria and the Victorian Local Governance Association. It is important to bring those together with service providers to create a forum and a venue where their responses and their initiative to respond to these challenges can be fully aired and discussed.

Hon. Andrea Coote — Is my invitation in the mail?

Mr GAVIN JENNINGS — The member's invitation may be in the same mail as Mr Scheffer's is. I will take up the interjection of the shadow minister, Mrs Coote. I think this is an issue worthy of her discussion, Mr Scheffer's discussion and mine. Following the forum we will get together and discuss this initiative, because it is important for us, whatever our vantage point, to take this further. I often come in here and say that I want the commonwealth government to come to the party. On this occasion I have invited the commonwealth regional office to come to this forum to discuss these important issues.

It is very important that we get united, innovative and creative responses from the inner urban area, the service providers involved, and the peak bodies, and that we air those views fulsomely, wholesomely and with confidence and due diligence to the commonwealth government. In fact in many ways the answer lies in its corner. The new Minister for Ageing in the commonwealth jurisdiction, Julie Bishop, is finding out about the complexities and the difficulties of this issue. I hope she will be alive, just as I will be alive, to the ideas on 13 November about the way in

which we can address this important problem to provide residential aged care in the inner urban area.

Commonwealth Games: Melbourne Cricket Ground redevelopment

Hon. R. DALLA-RIVA (East Yarra) — My question is to the Minister for Commonwealth Games. Is the base \$5.7 million payable to the Australian Football League for reduced capacity of the Melbourne Cricket Ground as outlined in the 2002–03 financial report included in the quoted \$77 million cost to Victorian taxpayers of the redevelopment?

Hon. J. M. MADDEN (Minister for Commonwealth Games) — I welcome this question because it shows that the opposition has a broader interest in relation to matters of sport and the Commonwealth Games. Members of the chamber would appreciate that we are making a capital contribution to the Melbourne Cricket Ground (MCG) redevelopment of \$77 million.

That is the capital consideration in relation to the Commonwealth Games. We are also contributing to the compensation of the Australian Football League (AFL) across a number of years, and that is not specifically for the Commonwealth Games but for the redevelopment. The critical issue in any compensation arrangements relates to the loss of revenues in grand final years when the capacity is reduced from what was 96 000 to the benchmark in each of those grand final years of 80 000, so the compensation relates to those matters.

As well, part of that compensation will go to the AFL following the Commonwealth Games in the 2006 football year when the reconditioning of the surface of the ground takes place to make sure that after the Commonwealth Games, when the track is taken up, the ground is repatriated to the pre-eminent condition that is the hallmark of the Melbourne Cricket Ground.

The \$77 million is capital contribution, and the other funds related to the MCG are not specifically for the Commonwealth Games but are broader in terms of the sporting portfolios well into the future and in relation to the MCG development and the legacy of the MCG redevelopment.

Small business: government initiatives

Hon. S. M. NGUYEN (Melbourne West) — I direct my question to the Minister for Small Business. Given the recent positive economic indicators, can the minister please advise the Council of the initiative that

the government will put in place to make it easier for small business to compete?

Hon. M. R. THOMSON (Minister for Small Business) — I thank the honourable member for his question. Every member in this chamber would be aware of the importance of having a strong economy for small business to be successful. Small businesses rely very heavily on the economic indicators to provide them with a level of confidence to be able to continue to compete in what is a far more competitive environment than it has ever been, given a reliance not just on competition within Victoria and Australia but on having to compete internationally almost irrespective of the kind of business involved.

It is true to say that for some time the economic indicators in Victoria have been positive and of benefit to small business. The most recent news on jobs is the most heartening of all; figures show that the unemployment rate has dropped to 5.2 per cent — a remarkable achievement and certainly well below the national rate of 5.8 per cent. This is a great story for Victoria and for those who are looking for jobs; but it is also a great story for Victorian small businesses who are employing a great number of Victorians. These economic indicators are also seen in the continuing strong growth in retail turnover, showing a yearly rise of 6.2 per cent. Victoria is travelling very well.

This government has put in place retail lease legislation to support Victorian small businesses. That legislation is about balancing things and ensuring that there is a fair relationship between landlord and tenant. The legislation is also about the creation of the position of Small Business Commissioner — an Australian first.

I am also pleased to say that today a bill was introduced in the other house to simplify the exemption list under the restricted three and a half trading days that operate within Victoria. We want to make sure that we address the antiquated exemption list, which has been cobbled together since 1885 and which no-one has really addressed. This government will make that exemption list more relevant to today rather than allowing it to create an environment where a saddlery can open but the bike shop cannot and where a dressmaker can open but you cannot retail the dress.

Today's announcement and the introduction of the bill in the other house will see an end to that. It will also exempt restaurants, cafes and eating houses so that they can open and provide their services. We believe that we have the balance right. We have put in place a fair and simple exemption regime which will be easy to

understand for both consumers and those in the retail sector and will also be easy to enforce.

Commonwealth Games: athletes village

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — My question is to the Minister for Commonwealth Games. When did the minister become aware that buildings on the Commonwealth Games village site were the subject of a Heritage Council appeal to be heard on 21 November?

Hon. J. M. MADDEN (Minister for Commonwealth Games) — I welcome the member’s question. He would appreciate the detailed discussion and debate that took place prior to the passing of the Commonwealth Games Arrangements Act. He would appreciate the manner in which the Minister for Commonwealth Games is entitled to give consideration to all planning matters under the Commonwealth Games Arrangements Act.

Under that process the Minister for Commonwealth Games takes on the capacity of the planning minister in these unique circumstances so that the minister can ensure that those facilities are delivered on time without interruption by frivolous appeals in relation to any matters under the Commonwealth Games Arrangements Act.

I want to clarify this for members on the other side of the chamber because it might be considered by some that the opposition is being mischievous about these matters. The Commonwealth Games village, which will be located at the site of the former psychiatric hospital in West Parkville, has gone through a full, thorough and transparent planning process under the Commonwealth Games Act through a planning advisory panel. I want to reinforce that, because the members of the opposition sometimes neglect to appreciate that, and if they understood the legislation, they would understand the process.

Hon. G. K. Rich-Phillips — On a point of order, President, the question was very specific. It asked the minister to inform the chamber of when he became aware of the Heritage Council appeal. He has not addressed the question of when he became aware of that.

The PRESIDENT — Order! I do not uphold the point of order. The minister has more than another 2 minutes to respond to the question, and he has been referring to the planning process for the land that is going to be the site for the Commonwealth Games village. I ask the minister to continue.

Hon. J. M. MADDEN — I am happy to give that answer, but I want to first give some preamble to put it into context because often the opposition wants to take the delivery of the Commonwealth Games village completely out of context. We have heard opposition members talk about many issues, but they are yet to endorse the village that was part of their plan and part of their submission.

We notified Heritage Victoria that we would be demolishing some buildings at the Commonwealth Games village site. Those buildings were not considered to be heritage buildings, and the planning advisory panel made recommendations in relation to them.

Honourable members would also appreciate that that planning appeal process that certain members of the community wanted to enter into would have delayed the handover of the site for the construction of the Commonwealth Games village. Heritage Victoria notified our office that it was not seeking to lodge an interim heritage protection order in relation to that facility, thereby endorsing the action that we took.

The opposition should appreciate that in these circumstances it is misleading the community in relation to the Commonwealth Games village site. It is being frivolous, and we will continue to deliver the Commonwealth Games village. We were pleased to have the planning panel process and were notified of that —

The PRESIDENT — Order! The minister’s time has expired.

Supplementary question

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — I note the minister failed to address the question of when he became aware of this Heritage Council pending appeal. So I ask: why has the minister allowed the demolition of those buildings, given that there is an appeal to be heard in two and a half weeks?

Hon. J. M. MADDEN (Minister for Commonwealth Games) — It again shows the failure of the opposition to appreciate the legislation. We had a transparent planning process and a transparent planning panel under the Commonwealth Games legislation. An independent planning panel made recommendations. The recommendation was not to retain that building. Whilst the opposition would like to rewrite history, if we investigate the history we would appreciate that its proposal for the Commonwealth Games when it was in government would have been to retain none of those buildings. We have retained the buildings that are

significant. We will refurbish them, and they will be used for an array of uses as part of a benchmark suburb that the entire community can be proud of. We will deliver an outstanding legacy post the Commonwealth Games.

Commonwealth Games: general assembly

Mr PULLEN (Higinbotham) — I refer my question to the Minister for Commonwealth Games, the Honourable Justin Madden. I refer to the minister's pending trip to meet with the Commonwealth Games Federation general assembly, and I ask the minister to advise the house of the main objective of attending this meeting.

Hon. J. M. MADDEN (Minister for Commonwealth Games) — Members of the chamber should appreciate that the Commonwealth of Nations is made up of 72 nations, and the Commonwealth Games general assembly has delegates and representatives from the Commonwealth Games associations of each of the 72 nations. It meets annually to progress the agenda of the Commonwealth Games Federation. That federation meets under the umbrella of the Commonwealth Games general assembly.

This forum takes place over a number of days. Representing the state government, the Office of the Commonwealth Games Coordination, and Melbourne 2006 I will be part and parcel and leader of that delegation to make a number of presentations to the Commonwealth Games general assembly in Jamaica.

The presentations will revolve around three major themes: the elite athletes with a disability program, which will be featured in Melbourne; the sports program, which is very much driving the Commonwealth Games; and then of course the venue plan in relation to the facilities required for the Commonwealth Games. These venues, plans and programs will need to be considered and appreciated by the Commonwealth Games general assembly at a number of levels. We will present to the sports subcommittee, the finance subcommittee and the executive board in order to make sure that our presentations are made to the general assembly in a manner which all those subcommittees feel comfortable with, endorse and support.

It is also a key opportunity for representatives of the Office of the Commonwealth Games Coordination, Melbourne 2006 and the government to formally and informally advise the Commonwealth Games Federation member associations of the progress to date and the progress we intend to make over the next two

years. It is also an opportunity to develop relationships with those countries and those organisations in order to support the confidence that they should have in our delivery of the games.

One of the key elements of the general assembly is the determination of the host city for the Commonwealth Games in 2010. Currently the contenders have been narrowed down from a wider field, but in any situation like this it is the numbers that normally determine the last two contenders. In this situation Hamilton in Canada and New Delhi in India are the two cities that are vying for the opportunity to host the 2010 games.

It is also a key opportunity for us to develop relationships with those countries in order to ensure that whichever country is successful in hosting the 2010 games it can source information, intellectual property, and support — whether in kind, financial or commercial — from the experiences we have garnered through the delivery of the 2006 games in Melbourne. The Commonwealth Games Federation will appreciate the hard work we are doing in getting on with delivering the games, and it will have outstanding confidence that we will make the Commonwealth Games in March 2006 the biggest, best and brightest Commonwealth Games ever.

QUESTIONS ON NOTICE

Answers

Mr LENDERS (Minister for Finance) — I have answers to 30 questions on notice: 77, 78, 273, 779, 785, 802, 817, 823, 828, 844, 858, 864, 869, 909–14, 917, 941, 966, 967, 970–2, 1020, 1022, 1024, 1025.

The PRESIDENT — Order! The Honourable Bill Forwood has written to me seeking my ruling in relation to question on notice 880 relating to the disability services needs register. In respect of the date and the information sought by Mr Forwood, in my opinion the question has not been answered. I therefore direct that it be reinstated on the notice paper.

EXTRACTIVE INDUSTRIES DEVELOPMENT (AMENDMENT) BILL

Second reading

Hon. T. C. THEOPHANOUS (Minister for Resources) — I move:

That the bill be now read a second time.

Second-reading speech as follows incorporated on motion of Hon. T. C. THEOPHANOUS (Minister for Resources):

Victoria is fortunate to have an abundance of good-quality extractive resources in the form of rock, sand, clay and gravel products located close to market sources. These resources are essential for the production of concrete, cement, bricks, tiles and crushed rock products and are a key component of the construction, building and manufacturing industries.

The extractive industry is characterised by some large operators and many medium and small operators. Many small scale extractive industries have developed in rural and regional areas to satisfy local demand.

The objective of government regulation has been to encourage the extractive industry sector to make the best use of stone resources in a way that is consistent with the economic, social and environmental objectives of the state.

In 2000 the government initiated a review of the act and regulations to identify the nature of restrictions on competition arising from the administration of the legislation and the likely effect of the restrictions on the industry and on the economy in general.

The resulting report found that the act and regulations were generally consistent with national competition policy. Some possible restrictions on competition were identified, and 24 substantive recommendations were made. The government has considered the findings of the review and accepted a number of the recommendations to amend the act.

The bill provides benefits to competition from the removal of unnecessary administrative requirements. For example, the bill removes the obligation to obtain a permit to search for stone on Crown land in addition to consents for the same activities. The permit gives no proprietary interest in the stone and adds unnecessary delays to persons seeking to search for stone.

The bill establishes a process based on obtaining the consent of the minister responsible for administering or controlling the Crown land. This is intended to reflect the approach to searching for stone on private land which relies on obtaining the consent of the landowner before the activity can be carried out.

In clause 4 the new section 8 makes it an offence to search for stone without the required consents being obtained, including the owners of private and Crown land.

In facilitating the removal of an unnecessary administrative requirement to encourage competition within the extractive industry, the bill also acknowledges the important social and environmental value of certain types of Crown land. The new section 12 recognises the special requirements for consent to search for stone on land that is a public highway, road or street, or land that is managed by a water authority.

The bill also preserves the current unavailability of certain Crown land for searches for stone. This excludes land that is a reference area, national park, wilderness or state park, marine national park, marine sanctuary or land that is declared as an Aboriginal place or archaeological area.

In addition, the responsible minister is required to notify the relevant Aboriginal person or body of a request to search for stone.

Clause 7 promotes clarity and certainty for the consent process by outlining the form, content and effect of the consent and the ability of the responsible minister to cancel or suspend the consent in certain circumstances.

The national competition policy report also recommended that there should be a review mechanism for certain decisions relating to work plans and authorities. The government supports this recommendation and has provided a right of review to VCAT for holders of a work authority in clause 13 of the bill. This will ensure that decisions made under the act are both transparent and subject to accountability.

The bill also removes the requirement for the government certification of quarry managers. The report considered such certification an unnecessary role of government that is better managed by the extractive industry. The competition benefit is that removal of this requirement removes an unnecessary element of government control from the regulation of the extractive industry.

In addition, the bill makes several amendments to improve the regulatory process. In circumstances where multiple landowners have consented to extractive work and a work authority is issued, the subsequent withdrawal of consent by one of the landowners will not require a new work authority to be issued. The work authority will continue to apply to the remaining landowners who have consented to the extraction work. This amendment will avoid unnecessary costs and impacts on the industry when the issue of a new work authority is required.

Also the bill provides that when a work authority is to be transferred, the minister will be able to consent to the transfer subject to a condition that a work plan is subsequently submitted by the new work authority holder. This will enable a more appropriate and relevant work plan to be prepared by the person who will be responsible for extractive work in the future.

The government believes this bill reflects its commitment to the national competition policy and the promotion of extractive industry development in Victoria. It also seeks to balance development with the environmental and social expectations of the community in the use of certain Crown land.

I commend the bill to the house.

Debate adjourned on motion of Hon. PHILIP DAVIS (Gippsland).

Debate adjourned until next day.

**VICTORIAN CURRICULUM AND
ASSESSMENT AUTHORITY
(AMENDMENT) BILL**

Second reading

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — I move

That the bill be now read a second time.

Second-reading speech as follows incorporated on motion of Hon. T. C. THEOPHANOUS (Minister for Energy Industries):

The bill supports the government's commitment to ensure that the high standing of the VCE assessment program, and of any other assessment program, conducted by the Victorian Curriculum and Assessment Authority is maintained and that incidents of cheating during exams are investigated and appropriately dealt with.

The bill involves a range of measures to strengthen the powers of the authority to conduct and record student assessments in recognised year 11 and 12 courses, including the investigation and hearing of allegations of breaches of exam rules; imposing of penalties; and alteration or cancellation of assessment results.

The proposals set out the basics of a process within the Victorian Curriculum and Assessment Authority Act 2000 which provides procedural fairness yet enables hearings to be informal. It allows students legal representation and appeal mechanisms, and enables the authority to inform itself fully before making any findings.

The bill seeks to clarify issues between the authority, students and schools in relation to the rules established to administer examinations and school-based assessments.

The bill implements the major findings of the authority's review of its discipline committee processes. It provides a legislative base to deal with alleged contraventions by students of the authority's examination and assessment rules.

The VCE assessment program is made up of two parts:

a school-based assessment component delivered by schools and other VCE providers on behalf of the authority, and

an examination component where exams are set and marked by the authority and delivered at examination centres established within schools by the authority.

The two components are used by the authority to decide whether individual students meet the requirements to be accredited by the Victorian Qualifications Authority for the award of the VCE qualification.

Clause 6 of the bill strengthens the functions of the authority to deliver the VCE and other assessment programs for accredited courses undertaken in years 11 and 12. It enables the authority to arrange with VCE providers to deliver school-based assessments and establish and run examination centres.

It also allows for the setting of rules for the conduct of all assessments, including examinations. The breaching of these rules by students can be a serious matter. It can affect their assessment results and may influence the outcomes of other students, and may impact on the authority's ability to guarantee that all assessment has been conducted in a fair and proper manner. It also strengthens the authority's ability to conduct investigations, hear allegations and set penalties.

Clause 7 of the bill provides the power to require course providers to submit school-based assessments to the authority and also ensures that students are aware of the rules under

which these assessments are undertaken and of the possible consequences of breaching the rules.

Clause 8 of the bill allows for the appointment of persons to committees who are not members of the authority's board. This allows for coopted members with knowledge and skills which may be of assistance to the authority to have input into committee deliberations.

Clause 8 also gives the authority a power to establish a specialist committee, to be known as the review committee. This committee will conduct hearings within the requirements set out in the bill.

Clause 9 of the bill inserts a new 'Part 3 — Assessment Review' into the Victorian Curriculum and Assessment Authority Act 2000 which deals with the process of suspected contraventions of rules by students. It incorporates details of the procedures to be undertaken in relation to the following activities:

investigating an allegation,

deciding to proceed to a hearing,

withholding of results whilst matters are being heard,

providing notice of hearing and copies of documentation which will be relied on,

review committee procedures,

legal representation,

making decisions and imposing penalties,

student appeals against school decisions,

student appeals against review committee decisions, and

alteration of student assessments arising out of a hearing.

Specifically, the authority's exam rules relate to the behaviour of a student during the scheduled examination periods. The rules not only cover cheating but also include other circumstances such as:

assisting another student to cheat,

bringing into the exam room material that is not permitted, and

impersonating another student.

A finding from the review committee of a serious breach of these rules, not just the rule for cheating, may result in a penalty which reduces a student's assessment result, whether the breach has directly advantaged the student academically or not.

This disciplinary role of the review committee ensures that the integrity of the assessment conducted across the state of Victoria is maintained and that the Victorian public can be confident that the calculation of results follows the implementation of rigorous but fair assessment and disciplinary procedures.

Under the new section 18 the bill ensures that the authority's procedures are bound by the rules of natural justice.

It outlines the process of investigation and the procedures for the conduct of interviews, including the provision to students of appropriate notice, documentation and advice on possible consequences.

This same section establishes the review committee's procedures to allow the committee to be both expeditious and fair. This means that the committee's findings will meet the authority's time line for reporting results to the Victorian Tertiary Admissions Centre — VTAC — whilst ensuring that the rights of students attending hearings are maintained.

The procedure of the committee will be conducted with as little formality and technicality as is permitted by the requirements of the Victorian Curriculum and Assessment Authority Act and the proper consideration of the matter. The committee will therefore have the power to determine its own procedures; however, the principles of natural justice will apply.

Although the review committee is not bound by the rules of evidence, nor by practices and procedures applicable to courts of record, it does have the power under the Evidence Act 1958 to summon witnesses and hear evidence under oath, and is able to inform itself in any way it thinks fit. The standard of proof for the committee will be on the balance of probabilities. This has always been the standard for cases heard in the past by the authority's former discipline committee.

Although it is not a strict requirement of procedural fairness that legal representation for students be permitted during review committee hearings, this provision has been included in the bill. I am very much aware that this bill is dealing with secondary students, who are not confident in representing themselves and would very rarely have the skills to do so.

To assist the review committee to properly discern the merits of any legal arguments, the bill also allows assisting counsel to be present during the hearing. The role of counsel will be to ensure that all relevant information is put before the committee and to provide advice.

There is a lot at stake for students who appear before the review committee, as the results of the VCE are used by many of our tertiary institutions as a measure of a student's capacity to undertake studies in higher education. This is acknowledged in the bill by providing students with two avenues of appeal against decisions which may have a detrimental effect on their assessment results.

Firstly, the review committee will have the power to determine student appeals against school decisions and against penalties imposed by the schools for alleged breaches of the authority's rules relating to school-based assessments. This is not a new function for the authority. Students have appealed school decisions to the authority in the past, and they have been dealt with through a publicised process.

These appeals against school-based decisions will now be included in the Victorian Curriculum and Assessment Authority Act. They will be conducted by the review committee as a rehearing.

It should be noted that the authority has a long history of resolving disputes about breaches of assessment rules at the school level, without the need to have the matter referred to a committee. The bill enables this process of mediation and negotiation between the two parties to continue under the

guidance of the authority, whilst the student retains the right to have the matter heard by the review committee if no satisfactory resolution occurs.

The second appeal process established by this bill has not previously been available to students. Provision has been made for the minister to establish an external right of appeal mechanism. Its function would be to consider an application from a student that the review committee's decision was unreasonable or that the penalty was too harsh. This second appeal process would not apply to decisions made in relation to student appeals against a school decision. Appeals against school-based decisions will be dealt with according to the process I have already described, which provides the student with procedural fairness and an opportunity to have school-based decisions reheard by the review committee.

An appeals committee would not rehear the case but instead, based on the documentation provided, would make a judgment on whether there was a valid reason for the decision. It would also determine whether the penalty set was in keeping with similar penalties imposed by the review committee, whilst taking account of the particular circumstances of each case.

Transitional provisions have been included in clause 10 of the bill. These will enable the act to commence from 1 October 2003 so that the review committee can hear allegations of breaches of exam rules occurring during the October–November 2003 exam period.

For student appeals against school decisions, the transitional provisions state that, unless an appeal has already been lodged but not heard by the review committee, the provisions will apply from the commencement date of the act.

These transition dates will ensure that the review committee does not have to conduct hearings in relation to breaches that occurred and were resolved during the June exam period, nor have to rehear appeals from students which have already been dealt with.

I commend the bill to the house.

Debate adjourned for Hon. B. N. ATKINSON (Koonung) on motion of Hon. Andrea Coote.

Debate adjourned until next day.

PORT SERVICES (PORT MANAGEMENT REFORM) BILL

Second reading

Debate resumed from 29 October; motion of Ms BROAD (Minister for Local Government).

Hon. R. H. BOWDEN (South Eastern) — The Port Services (Port Management Reform) Bill is the second bill in a major change that was the outcome of a very important review by Professor Bill Russell in 2001. The first bill that was introduced before this one dealt with the reform of the port of Melbourne. We know the importance of the port of Melbourne to the economic

activity of Victoria and to the nation as a whole. That legislation is now in place, having commenced operation on 1 July 2003; it clearly delineated the responsibilities, access, area and entitlements to run an efficient service through the Port of Melbourne Corporation.

This second bill emphasises the importance of regional and local ports in Victoria. It is generally considered that we have 13 significant regional ports other than the port of Melbourne. We also have a series of local ports, which while they may not be significant in terms of cargo capability or tonnage as opposed to the regional ports, play a significant role in the life and activities of the coastal communities in which they are located.

The opposition does not oppose this bill. In its capacity as an opposition it would like to make some comments, and I will proceed to do that on its behalf.

The bill has four main parts and these are set out in the general explanatory memorandum on page 1. The bill will:

... amend the Port Services Act 1995 ("the Act") to —

consolidate in that Act the law relating to the establishment, classification and management of Victorian ports;

establish a new port corporation to be called the Port of Hastings Corporation vested with broader functions and powers as the successor to the Hastings Port (Holding) Corporation;

create a body to be known as the Victorian Regional Channels Authority to replace the Victorian Channels Authority;

require all port managers to prepare, and to comply with, safety and environment management plans ...

Those four features of the bill are extremely important, and I will speak to each of those fundamentals as I proceed during my contribution.

As I said, the first point deals with the establishment, classification and management of ports. The two acts that empower the state government to oversee the activities of our ports are the Port Services Act 1995 and the Marine Act 1988. This bill will amend the Port Services Act 1995 to ensure that the classification, establishment, operation and clarification of the necessary administrative roles are in place so that that important activity can proceed.

I have obtained some rather interesting information from the *Victorian Year Book 2002*. To highlight the importance of this bill and the regional and local ports contribution to the Victorian economy, I would like to

inform honourable members of some important statistics that appear at page 162 of the book.

For instance, in 1998–99 Melbourne loaded 7.106 million tonnes and discharged 8.426 million tonnes of cargo. In the same period, Geelong loaded 3.108 million tonnes and discharged 4.816 million tonnes; Portland loaded 2.320 million tonnes and discharged 404 000 tonnes; and Western Port loaded 944 000 tonnes and discharged 124 000 tonnes.

In 1999–2000 Melbourne loaded 7 950 000 tonnes and discharged 8 239 000 tonnes; Geelong loaded 3 925 000 tonnes and discharged 4 901 000 tonnes; Portland loaded 2 611 000 tonnes and discharged 316 000 tonnes; and Western Port loaded 1 197 000 tonnes and discharged 204 000 tonnes.

To complete the picture, which I think is necessary and I appreciate the patience of honourable members, in 2000–01 Melbourne loaded 9 363 000 tonnes and discharged 7 129 000 tonnes; Geelong loaded 4 921 000 tonnes and discharged 5 043 000 tonnes; Portland loaded 2 856 000 tonnes and discharged 433 000 tonnes; and Western Port loaded 706 000 tonnes and discharged 222 000 tonnes.

The grand totals are very interesting. In 1998–99 Victorian ports loaded 13 478 000 tonnes and discharged 13 770 000 tonnes; in 1999–2000 they loaded 15 683 000 tonnes and discharged 13 660 000 tonnes; and in 2000–01 they loaded 17 846 000 tonnes and discharged 12 827 000 tonnes.

The importance of those figures is that Victorian ports, other than Melbourne, account for approximately 40 per cent to 50 per cent of loadings and discharges. We all know the importance of Melbourne itself, but as valuable, important and crucial as the port of Melbourne is, some 40 per cent to 50 per cent of tonnage, not by value — it varies per year — of the state is consistently handled by ports other than Melbourne. It is vital that the government, through the provisions of the legislation, ensures that management, efficiency and provision of the particular structure are in place and in good order to control these ports in a responsible way.

We know that the Australian constitution provides that the international representation and maintenance of our trading agreements and external trading affairs are not only the responsibility of the federal government but also a major responsibility of state governments to ensure that infrastructure and facilities are made available when and where they are needed so that the

goods and services we need as a well-developed and great nation in the world are in good stead.

The merchandise trade figures for Victoria are interesting, and page 162 of the *Victorian Yearbook 2002* states:

Imports to Victoria increased by 8.2 per cent in 2000–01 to \$36 485 000, continuing the upward trend since 1995–96 ... Imports over the six-year period 1995–96 to 2000–01 increased by 47.9 per cent. Exports from Victoria increased 18.3 per cent to \$22 510 000 in 2000–01. Victorian exports comprised 18.8 per cent of the Australian total (\$119 556 000) in 2000–01 and Victorian imports comprised 30.9 per cent of the Australian total (\$118 243 000).

That shows the importance of the trading volume. It was said in another place when the bill was debated that the volume of container trade is about 40 per cent of the Australian container trade that goes through the port of Melbourne, and approximately \$75 billion of trade goes through the port of Melbourne. When one looks at the total tonnage, as I said earlier in my contribution, it is vital that the bill is put in place expeditiously so that the 40 per cent to 50 per cent of tonnage that is loaded and discharged is taken care of.

The first of the four key parts of the bill establishes by modification of the Port Services Act 1995 and enshrines in that act the ability to manage the regional ports. Clauses 5, 6, 11, 19, 25 and 28 are the particular clauses that relate to the establishment of the authority to improve the operation of the act. The establishment of a new port corporation to be called the Port of Hastings Corporation will replace the existing arrangements. For some years the activities at Hastings have been under the guidance of a holding company, the Hastings Port (Holding) Corporation, and there have been management arrangements which will continue and not be affected by the bill. Those contracts and expectations by the responsible company for activities in Hastings is Toll Holdings, which will continue with its commercial activities.

Hon. B. N. Atkinson — President, I draw your attention to the state of the house. This is a fantastic speech and more government members should be present to hear it.

Quorum formed.

Hon. R. H. BOWDEN — I was mentioning the important changes to the port of Hastings and was emphasising that the present contractual arrangements with Toll Holdings do not change with the passage of the bill. It fundamentally enables the establishment of a new corporation to oversee the general activities in the port of Hastings.

A media release issued on 28 October by the Minister for Transport has one or two items that might be of interest to honourable members. It states:

The establishment of the new Port of Hastings Corporation heralds a new era for the port of Hastings. The corporation has a broader charter, enabling it to cater for the port's future needs ...

...

Western Port is one of the few commercial deepwater harbours in south-east Australia which remains effectively underdeveloped ...

The last quote is attributed to the member for Hastings in the other place. I welcome the decision by the government to focus on the affairs of the port of Hastings, as the media release states. I believe Hastings, and Western Port in general in a marine sense, have been underdeveloped for a long time. Those of us who are informed of general marine issues know that Western Port has enormous potential.

We are blessed as a state with a deepwater entrance from the ocean that is well protected from the massive waves that could pound our shores because of the direction of the channel. It is deep and wide, and for management and navigation purposes it is a very good port. It is not well developed in the sense of good access roads or rail lines, but that is something of concern for the future. As I said a moment ago, Victoria is blessed with deepwater close to shore with a high degree of protection from Bass Strait sea conditions that can exist in inclement weather.

The decision to establish the Port of Hastings Corporation as explained in the bill is a very good thing. The mechanisms in the bill will enable and allow close working relationships with the commercial entities in the area and with the responsible civic and environmental groups so that the outcome will be such that good, efficient planning and future use of the Western Port and port of Hastings areas can be brought together for the benefit of the state and our whole nation.

I am privileged to continue to serve as the representative for that area. The Hastings area has been in my electorate since 1992. I am quite familiar with the port of Hastings, so I am quite pleased and excited by the prospects for the port. The power and ability of this new entity will deliver much better infrastructure and management plans so that this facility, which is underdeveloped, can be brought to fruition over a planned period of time.

The third feature of the bill is the creation of the Victorian Regional Channels Authority to replace the

Victorian Channels Authority. When the earlier bill — the one that established the Port of Melbourne Corporation — was put in place, it clearly defined the responsibilities and powers given to the corporation. This new Victorian Regional Channels Authority will have the ability, authority and responsibility of efficiently and fairly managing the affairs of the channels.

It is vital that the channels are safe and that the approaches are well marked and well delineated. It is also important from a commercial point of view that access is equitable, affordable and fair. It is an important aspect of the legislation that the Essential Services Commission is able to make decisions when there is a dispute. I read the bill very carefully to make sure that those provisions are in place, and they seem to be quite specific: should there be a commercial dispute when the Victorian Regional Channels Authority is in place there is a mechanism to efficiently and fairly come to an equitable decision through the ESC. I think that is a good thing.

The fourth aspect of the bill I would like to broadly mention is the requirement that all port managers prepare and comply with safety and environment management plans. If honourable members cast their minds back, say, over the last 10 years, I think they will agree it is a fair statement that, in the main, port operators, users and the general shipping community have been quite responsible. There has been the odd regrettable incident, but by and large the shipping community, the commercial community and the government agencies have done a good job of managing with sincerity the important asset they work with.

This bill, as I mentioned, will require all port managers to prepare and document safety and environment management plans on a suitable time frame. We know the importance of the environment; we know the importance of safety. It is a good feature of the bill that those things are taken care of.

I will discuss some details of the bill and bring a couple of suggestions to the attention of honourable members. Clause 18 inserts new part 6A, 'Port management plans'. The minister can require port management plans, and it is stipulated in proposed section 91C that the port manager's responsibilities are to ensure that a safety management plan and an environment management plan are in place. The penalties for not putting those plans in place are quite severe: 240 penalty units in the case of a commercial trading port and 60 penalty units in the case of a local port. I think those penalties are quite severe. I would not say

they are excessive, but I do use the word severe. That should focus attention on the need to do a very good job.

A port manager, under proposed section 91C(2) must ensure that reasonable steps are taken to implement the measures, follow the process, follow the procedures and so forth, as set out in the bill on page 30. Again the penalties for not complying are severe: they are also 240 penalty units in the case of a commercial trading port and 60 penalty units in the case of a local port. An interesting feature of this bill — one that I am slightly uneasy about — is that the minister has almost unfettered power in relation to the management plans.

The legislation gives the minister the ability to inform in writing port managers, or a particular port manager, of individual time frames or of the specifics that are required to be carried out. In general terms that could be considered a good thing. However, not all ministers in the future may be technically able to make very firm decisions, and there will have to be a lot of advice by specialists to the minister to enable those directions to be put in place and communicated to the port managers.

I am confident that no minister would take a light-hearted approach to it. I would like to believe and I do believe at this stage that the ministerial directions in the future from ministers of the future will be of a quality nature so that those instructions will not only be logical but based on sound decision-making processes and that when those directions are given, they will be sound and of good management quality.

Proposed section 17F on page 8 of the bill indicates that the Port of Hastings Corporation can acquire and dispose of property, enter into contracts and agreements and may employ agents or contractors. I would like to believe that particularly with the port of Hastings and its potential, the state government will exercise a high degree of supervision over the new entity that manages and is responsible for overseeing the port of Hastings. As I said earlier, it is an underdeveloped area with enormous potential for the state and could subsequently make an enormous economic contribution to the state.

There is a fair amount of industrial and residential development in the immediate area of Hastings already, but there is still a lot of open, undeveloped land. I would like to be assured and feel assured that those developments, plans and commercial activities and the discussions and contracts that take place with the private sector are very cautious. It was well handled in the case of the port of Melbourne over the years, and commercial contracts and arrangements turned out to be quite good.

I would like to stay confident that the demands that are ahead for the state government in the port of Hastings will be cautiously and carefully carried out. There will be pressures from people who will want to be involved and all sorts of potential for unwelcome attention and distractions. I would like to stay confident that the managers will be mindful of the need to be extremely cautious as they carry out their responsibilities, particularly in the case of the Hastings area. I will be watching the development and observing those events as they take place with a great deal of interest.

I would like to make some comments about some of the regional ports. I visited most of the ports over the last few months and have some ideas to offer to honourable members. The port of Hastings requires significant infrastructure investment to make it an efficient port in terms of better roads and rail links. A huge amount of planning is needed in Hastings. Western Port can be a jewel in the crown if we, as a state, take proper advantage of the wonderful deep water that is close to the shoreline. I will not say much more about Hastings except that I am quite excited about the potential that it offers and the prospects that it can fulfil for our state.

Geelong is a well-known port. It is a major port for petroleum and grain. It is a most valuable contributor to employment and rural activities throughout the state, particularly for the shipment of grains. The woodchipping industry is still significant, and although several entities predict a decline in the years ahead, it will still provide a respectable volume for the foreseeable future.

Portland is a deepwater port, which is used for the export of agricultural products and livestock and is an important contributor to the facilities and the standard of living we enjoy.

Looking to the east, I will comment about the ports along the eastern coast before coming to the western coast of the state. Lakes Entrance is a small port by any measurement and is historically closely associated with commercial fishing. It has a notorious bar at its entrance, and in past years I can clearly recall this house being asked to consider dredging and providing other technical solutions to the difficulties and dangers represented by it. I would like to see if it is possible to revisit that problem.

Over the years we have seen the deaths of several commercial fishermen and recreational boat operators right at the bar at Lakes Entrance. It might be quite expensive, but given the tourism potential and the ability of that coastal access to better serve the eastern part of the state, it may well be an investment at least

worthy of being revisited for a technical examination and an economic evaluation. I would fully support and recommend that investigation to the government, due to the potential for tourism, commercial fishing and recreational and boating activities on the lakes, which in turn adds to a major amount of economic activity in the Lakes Entrance area. I think that would be a good thing.

Port Welshpool is a well-established port. For many years the high-speed ferry to Tasmania left from and arrived at that port. Access there is limited to certain tonnages. Some of the ships that service the Bass Strait oil rigs go in and out of Port Welshpool. It is commercial and should have some growth potential, and I would like to encourage all the commercial operators and users of Port Welshpool to continue what they are doing. I suggest that if there are any plans to make that port more efficient or generate extra economic activity, that would certainly be most supportable.

San Remo is a very small fishing port. I think nearly everyone here has at some time been to San Remo, on the mainland side of the bridge to Phillip Island. San Remo is a lovely spot. It has for many years been the mooring point for the cray and other fishing fleets in that area. I have had the privilege of being invited out from time to time on some of the commercial boats that go out of there. I have been to sea with some of the operators, and have been absolutely amazed at the difficult working conditions and at times the dangers that the professional fishermen endure in order to provide us with crayfish and other species that we enjoy as food.

The San Remo area is relatively small, and it has been affected by the legislation that was introduced some time back to set quotas for cray fishing. I know there are many families in that San Remo area that have been associated with fishing activities for generations, and I would like to make sure of the continuance of the maintenance of and the access to the facilities that have long been in place at San Remo.

Cowes is a very interesting and important township on the north part of Phillip Island. Cowes has a small wharf which has for a long time been able to accommodate the smaller ferries that have travelled from Hastings or Stony Point across to Phillip Island on a regular, and sometimes regrettably irregular, basis. It has been a patchy service, though I do not say that as a criticism of individual ferry operators. A lot has to do with commercial demand, the type of ferry used, the weather and so forth, and the wharf itself is limited by its physical construction. There is potential for a major upgrade of the Cowes wharf, which could transform the

commercial activity on Phillip Island and in the southern Gippsland area of Victoria.

Just as the Queenscliff to Sorrento ferry has been an enormous success in opening up tourism and providing a vibrant economic activity on the southern Mornington Peninsula and at Queenscliff, if the Stony Point to Cowes vehicular ferry was to be put in position, we could then complete the link from South Australia and New South Wales on what the tourist operators call the southern tourist route.

This is for people who do not wish to come to Melbourne but who want to see the beautiful scenery. They come from New South Wales or Canberra and travel down the southern part of the east coast of Victoria, across to Phillip Island, from there to the Mornington Peninsula, then from Sorrento across the bay to Queenscliff, and eventually they head off to South Australia. The missing link, I suggest to honourable members, is the vehicular ferry between Stony Point and Cowes. It would be very desirable to have that service in place.

It is a fortunate coincidence that if the bill leads us to consider upgrading the Cowes wharf, we also have a high level of interest in hosting visits by cruise ships. We in Victoria have been very fortunate in recent years to have attracted many of the international cruise ships that until several years ago did not come here. I do not know the exact figure, but it may be that 30 or 40 of these major tourist ships visit Melbourne each year.

Several of these shipping line vessels could come round, then we could offer the operators another Victorian port for berthing. It is a proven fact that each day these cruise ships are in a port, their passengers spend a large amount of money. It would be attractive, I understand, to have a cruise ship sail from Melbourne through the Heads and arrive at Cowes the following morning. It is not a long distance as the ship goes, but it is another port that could be promoted by the cruise operators in an itinerary brochure.

The water north of Cowes is quite deep and able to accommodate any of the known cruise ships that we are likely to see visiting here. The difficulty is that the wharf at Cowes is too small for cruise liners to come alongside. If one goes another 50 to 100 metres out, the water is quite deep enough — dredging is not required — but the wharf itself needs to be substantially improved. We are unlikely to see large numbers of cruise ships coming to Phillip Island or Western Port, desirable as that is, until they are able to come alongside simply for safety and navigation purposes.

In March 1997, I, with others, had a lot to do with arranging a visit by the United States navy to Western Port. A guided missile frigate called USS *Reid* visited Melbourne. I and about 50 others were invited by the United States navy to sail from Melbourne to Cowes on that ship.

It is possible to discuss further visits with the United States navy, but the message given to me in the nicest possible way was that it is too tough; it is too hard to get sailors safely on and off a ship from an anchor point out in Western Port. Whether it is a cruise ship with recreational passengers, or our navy or an allied navy, it is necessary to be able to bring those ships alongside. I am speaking at length on this, but we all have the potential to understand and consider the importance of upgrading the Cowes wharf and the economic benefits that would bring.

Queenscliff is another regional and local port which is part of the important tourism linkage about which I spoke a few moments ago. The Queenscliff to Sorrento ferry is valuable. I have used it a few times, and it is a great service. Queenscliff plays its part as a tourism facilitator. It may be a small port but, as I am sure honourable members who have been to Queenscliff know, it is important.

I mention something to do with the small port of Lorne about which I am extremely unhappy. Earlier this year I received representation from a professional fisherman, Mr Norton, who is a licensed fisherman of 33 years standing and concentrates on the catching of snapper from the Lorne pier. Earlier this year the Lorne Foreshore Committee of Management advised Mr Norton it would not repair the winch that had enabled him to bring his boat out of the water and put it on the wharf. Without that winch being repaired and put back in service Mr Norton had no way of getting his professional fishing boat off the Lorne pier and into the water, and vice versa back up at the end of the fishing excursion. Not being able to fish, he could not catch his quota and was literally out of business.

Representations were made by Mr Mulder, the member for Polwarth in the other place, because Lorne is part of his electorate, and by me as the opposition spokesman for ports — and we tried our best. Unfortunately our representations fell on deaf ears. In my opinion the department did not want Mr Norton to go back into the water. It had some arrangement whereby it did not want him to continue his professional fishing, although he was fully licensed.

The negative outcome of those representations was disappointing. At no time was any understanding

conveyed to us by the foreshore committee or any other person connected with the government agencies assigned that responsibility that they were willing to listen to Mr Norton's problem. They just did not want to fix the winch. I do not know what it costs to fix a winch, but it has to be no more than the cost of a motor car. The state government, through the agency and the foreshore committee, treated Mr Norton very poorly.

Eventually, because of inaction and lack of cooperation from the agencies concerned, particularly the Lorne foreshore committee with which I am extremely unhappy, Mr Norton rearranged his access through another vessel and now launches his boat off the beach. If this is the attitude exhibited by some of the foreshore committees and some people in the government's agencies, then I am disappointed. The Lorne case, in particular Mr Norton's circumstances, is a poor advertisement for the service provided by foreshore committees.

I have been to Port Campbell several times. It is a beautiful part of the country. I do not know if others see it this way, but I do not mind the fog, the mist and the rainy days; they just seem to add a charm to the area. Port Campbell and that particular part of the coastline is beautiful. Port Campbell is unusual; it seems to be a cut in the coastline and it is spectacular.

However, the access for boats and the ability to launch and retrieve boats could be improved. I suggest to the government that it would be welcomed and would probably be good for commercial fishing and boat safety in the Port Campbell area, and generally for that part of Victoria, if it gave some careful, technical and enthusiastic consideration to improve the access, launching and storage of boats in the Port Campbell area. It would be well worth while. It is a lovely part of Victoria but it has safety problems. People have been lost at the entrance to Port Campbell, and that is regrettable. I would like to see substantial improvements over time.

I am probably a little closely connected with these issues, because I am patron of the Australian Volunteer Coast Guard Association and as my principal recreation is motor boating I can relate to these things. Port Campbell offers great potential for improvement.

Port Fairy is also delightful. It is small. Earlier in my contribution I said that while the tonnages, the value and the employment aspects of our ports, both regional and local, are extremely important, when it comes to Port Fairy, Port Campbell and Queenscliff they are local ports. They do not handle the tonnage or the enormous value, but they are crucial to the economic

survival and wellbeing of the communities in which they are located.

Last on my list is Portland, and I apologise to any honourable members if I have left their ports off my list. We know much about Portland. We know Portland is a valuable deepwater port for the shipping of agricultural produce, livestock and a lot of other products. I suggest to honourable members that the principal regional ports of Geelong, Portland and Hastings, while they are the three glamour ports — if I could use that term — in this bill, they carry the load. It is the local ports, as small as they are, that are valuable.

I conclude with a couple of other suggestions. It is vital that we all understand the importance of the management plans that are detailed in this legislation. The management plans are intended to enable the port managers to have a clear understanding of the responsibilities, economic potential, efficiency and environmental standards that are required to be met.

Australia is a major trading nation and is involved in regional trade and international trade way above the level of population either in this state or our great country. On the figures I have been given, Australia is the eighth largest trading nation in the world in total volume of goods and services imported and exported. Whilst we do not have the huge shipments of coal and gas and so forth, Victoria, with well over \$100 billion per annum of activity, is a major contributor to the economic circumstances of our country.

It is important that we understand that as valuable as those numbers are, at the end of the day we are dealing with people. People need jobs, people need income, and Melbourne is the core or the centre of this. As I said at the beginning of my contribution, between 40 per cent and 50 per cent of the total of Victoria's tonnages are loaded and discharged at ports in Victoria other than Melbourne. So focusing this ability to develop management plans and the requirement to do this with good environmental practices is extremely important and valuable. If we can do this, we will be able to serve the regional job opportunities and the employment facilities in towns right through the entire state. The bill is supportable. With those comments I indicate that the opposition is not opposing the bill.

Hon. B. W. BISHOP (North Western) — I rise on behalf of the Nationals to speak on the Port Services (Port Management Reform) Bill. As has been said before in this place, this is the second in a chain of port bills we have addressed in this session of Parliament. The first one was the reform of the Melbourne Port Corporation into the Port of Melbourne Corporation,

where Parliament gave that port much more flexibility and opportunity to operate in today's quite tough economic circumstances, a position that I am sure the Port of Melbourne Corporation will respond to.

These reforms have been driven by the recommendations brought forward by Professor Bill Russell in his report *The Next Wave of Port Reform in Victoria* — a play on words I guess, but it is something that has moved along. As I said, this is the second tranche of bills we have had in relation to this particular area.

The National Party has consulted quite widely on this bill, as is its practice on these particular issues. While the ports that have been mentioned in the debate today are a fair way from the inland port of Mildura, I can assure the house that we as country people take a lot of interest in what happens to our ports. When we talk about these bills in relation to ports I suggest, as the Honourable Ron Bowden so eloquently put it, that we should recognise the local ports around the coastline of Victoria that are most important to us, be that in boating, water sports, fishing of both commercial and recreational varieties and, of course, tourism. I will not go through the ports, as the Honourable Ron Bowden did, but will reaffirm from the National Party's point of view that it does recognise the part that local ports play in our communities, not only along the coast but over the whole of Victoria.

When we looked at the first aspect of this bill, which was to consolidate in the statute the law relating to the establishment, classification and management of Victorian ports, we thought that was quite a logical and practical move, one that we believe will reduce confusion and make it easier for governments and others to address the ongoing management of our ports around Victoria. I was interested to note when I looked at the executive summary of one of the recommendation papers that in relation to privatisation — which often get a run in this house — the report states:

The review concludes that under privatisation, the port management of the two regional ports of Geelong and Portland is progressing adequately. Costs are not increasing beyond averages in the industry, and trade growth is doing quite well. Accordingly there is no pressing agenda for recommending alternative management arrangements for these ports on the basis of economic issues.

I think that is quite a telling paragraph in the conclusions and recommendations of one of those reports.

If we move to the second part in this bill, which is to establish a new port corporation to be called the Port of

Hastings Corporation vested with broader functions and powers as its successor of the Hastings Port (Holding) Corporation, it may sound a bit confusing on the face of it, but actually it should not be at all confusing. We think it will improve the focus on the port of Hastings. It will be far more than just a name change. We would hope to see much more development in the port of Hastings because of its position and because of its growing importance to industries throughout Victoria.

We also note that most or all of that management as we understand it is contracted-out management to Toll Holdings. The bill also provides for the transfer of staff and property — I believe it is in clause 23. We also understand that Toll has some time to run in its contractual management role. It is an experienced manager, experienced in transport and obviously has holdings in the port of Geelong as well. We see that as quite a positive move.

The bill also creates a body to be known as the Victorian Regional Channels Authority to replace the Victorian Channels Authority. We are quite supportive of this. We think it is an extremely important issue, particularly as we find our ships getting bigger and as we need to compete on that global market that is so very important to all of our manufacturers and our producers.

In debate on the Planning and Environment (Port of Melbourne) Bill last month we talked about the Port of Melbourne Corporation and the fact that Melbourne was the most efficient port in Australia. We are all very proud of that fact. It was excellent that we were able to take part in a tour of the Port of Melbourne Corporation, and I thank the minister and his parliamentary secretary for that opportunity. I must admit when I took a bit of notice of where we were in the port I could not help thinking that the issues there are very similar to the issues we find in rural Victoria — that is, rather than having a difficulty with the right to farm, we may well have a difficulty with the right to a port, as some housing encroaches upon and other buildings overlook the port.

I was very impressed with the Port of Melbourne Corporation's technological approach to efficiency. Obviously part of that is the channel. During debate on the earlier bill the National Party expressed concern about the port of Geelong, how it could be protected and looked after in the event of any moves to deepen the channel or manage the channel in another way. We were concerned that the port of Geelong could be overshadowed by the sheer size and amount of traffic through the port of Melbourne. Obviously, as country

Victorians we are keen to see the advancement of both ports.

I was not able to get a lot of statistics about the port of Geelong but it is well known as a major grain port. It is also used for the export of woodchips and for bringing phosphate into the farming community. Among its other activities it runs major malt houses down there, which is quite an efficient way of turning barley into malt and exporting it from there, so the port of Geelong is very important to country Victorians, and we wish it every success.

I looked through the 2003 annual report of the Hastings Port (Holding) Corporation, which, I think, was tabled here today. The only thing that jumped off the page was a ministerial direction on page 4, dated 27 February 2003. The minister was Treasurer Brumby and the direction was:

Pay to the Consolidated Fund a capital repayment of \$400 000 on 7 March 2003.

I have no idea what that is about, and I invite the minister who is in charge of the bill to explain that issue so we can all set our minds at rest. As I said, our major concern about the future management of the Geelong channel is to protect the integrity of the port of Geelong. We believe that the formation of the Victorian Regional Channels Authority will go a fair way towards doing that.

I noticed in a briefing note a particular issue about channel management. It states:

In the cases of Hastings and Portland, this will involve maintaining existing channel operating agreements with the respective port managers. In the case of Geelong, the corporation will retain direct responsibility as channel operator but will contract in the majority of services required for this purpose.

It goes on to deal with clauses. Again, we believe it a good idea to formulate the new Victorian Regional Channels Authority, and we certainly hope it will assist in protecting the integrity and future of the port of Geelong.

We note that the Essential Services Commission regulates the pricing and access to the channel. We are often nervous about the Essential Services Commission being a bit heavy handed with some of those issues, but given the opportunity, it can provide the balance, and we expect it to do that. As I said, the Port of Melbourne Corporation is a big operator and the port of Geelong is a smaller one, so we look to the Essential Services Commission to ensure that there is balance, access and process of any re-management or management of the

channel or channels to ensure that Geelong gets a fair go.

The next point I wish to discuss today is the one that requires all port managers to prepare and to comply with safety and environment management plans. We looked at that and we thought that that might be a bit touchy, but we believe that with the minister's capacity to set the guidelines after consulting with all parties, including tenants, it should be a process that goes along reasonably smoothly. For example, we received a note from the port of Portland thanking us for providing a copy of the second-reading speech of the Minister for Transport in the other place. The note states:

We consider this bill to be largely uncontroversial. Although we question government's role in environmental and safety planning for privatised ports we will accept the government reviewing our existing safety and environmental management plans as provided by this bill. We have been adequately consulted in relation to the establishment of the VCA successor and are comfortable with the existing proposal.

I believe that mirrors the general acceptance of most of those issues.

We note that every four years these mandatory plans will need to be put in place. There will be an audit of these plans, as I understand it, in the middle of that four-year period. I believe the key to the whole major issue is the consulting processes, as they are put into place, between all of the stakeholders in the ports.

As country people we have a huge reliance on our ports in Victoria for exports, and of course for the products that come into this country which we in rural Victoria regard as inputs and which our manufacturers and others use to manufacture goods. If we are going to reach \$12 billion for the export of food in Victoria by 2010 we must have our ports in good condition. They must have an integrated process because we have the production — and it is good production. It is accepted as being clean and green according to world standards, and our quality assurance programs are second to none.

We have the capacity in Victoria to accumulate and store our products and package them for the export and domestic markets. We have world-class transport situations in an intermodal sense, with the exception of our rail. Many times in this house I have rightly criticised the government for its incapacity to upgrade and standardise the railway lines throughout Victoria, about which such a big song and dance was made some years ago. I doubt whether it will happen in the short term. It looks like the government is tardy in getting on with those programs. It started blaming the federal government, then it shifted the blame to Freight

Australia, and it will shift the blame to anyone rather than face up to the issue.

Apart from our railway line system, our intermodal transport systems are quite good. Our ports are good ports but they must be vigilant to keep themselves up to world standards because as international trading ports, it is very important that they remain competitive. We have spoken about this in relation to our local ports; they are just as important to our tourism, fishing, water sports and all the other issues involved with those activities.

To conclude, the National Party does not oppose this bill. Throughout country Victoria we rely very much on our ports for the products that go to the export markets and for the inputs to the ports also. We must have them working as an integrated system. We must have world-class efficiency at our ports, because unless our vessels are loaded on time and quickly, it is very expensive to keep them alongside the wharf. The same goes, of course, for unloading the imports into this country.

On that note, as I said, the National Party does not oppose this bill, but it will watch with great interest the issues of the management of the channel in relation to protecting the integrity of Geelong. We will also watch with great interest how the port of Hastings goes. We particularly wish the port of Hastings well in its new role, which I hope will get more focus on it and utilisation of the facilities that we hope will be there with the opportunities that may arise with the setting up of this bill.

Ms ROMANES (Melbourne) — The Bracks Labor government is a government that listens and acts, and the various measures related to port reform that have gone through this house and are being dealt with today are examples of that. It was in 2001 that the then Minister for Ports, Candy Broad, was listening to disquiet in the community about whether or not the privatisation and changes to the management of the ports that had been undertaken by the previous Kennett government had been effective and had delivered the desired outcomes. In response to that, Candy Broad requested Professor Bill Russell in 2001 to review the Kennett reforms and to look at what changes may need to happen at ports in Victoria in the future.

I refer to the executive summary of Professor Russell's report, which was delivered to the government at the end of 2001 and is entitled, *The Next Wave of Port Reform in Victoria*. One section of the executive summary states:

The whole of this port system was extensively restructured by the previous government in 1994–95, and the current review has had to assess those changes as well as to look to the future needs of the Victorian port system.

On the basis of the research and extensive consultations undertaken during the review, it is clear that the 1995 port reforms, while fulfilling competition policy targets, did not deliver widespread economic, social or environmental benefits to Victorians.

While they benefited some shippers by reducing wharfage rates, overall costs through the port increased, as costs not controlled, particularly road-related costs, rose markedly. They also benefited the purchasers of privatised assets.

The cost control mechanisms introduced at the time had merit in the short term. However, the strict price controls imposed contributed to a position that limited the capital available to the port, and public capital investment fell away.

In the executive summary Professor Russell went on to highlight the critical need for investment to increase the channel capacity in Port Phillip Bay and to increase intermodal connections between the port and on-land transport. He advocated a comprehensive package of changes, the bulk of which were accepted by the government in its formal response in July of 2002. What we have before the house this afternoon in this current bill is the second tranche of the legislative reforms foreshadowed by the government in that response.

The first group of provisions in the bill relate to the establishment, classification and management of ports. Currently Victorian ports are created under one of two acts — the Port Services Act 1995, for the four commercial ports, and the Marine Act 1988, for the 13 local ports in Victoria. According to Professor Russell, the existing provisions and structure had led to some confusion and duplication, and certainly did not allow for the flexibility to make sensible adjustments to respond to technological and other changes as time has gone by.

The amendments in the bill consolidate in the Port Services Act the law relating to the establishment, classification and management of all Victorian ports. This is a more logical structure; it is more coherent to bring together all the commercial and other local ports, which may have some commercial activities going on but are also often recreational and tourist spots. It means that from this time on all the ports in Victoria will operate according to common standards.

The next major area of change in the bill relates to the port of Hastings. While the port of Hastings was originally to be sold by the former government, instead the Kennett government established the Hastings Port (Holding) Corporation as landlord, with a private

operator managing the port under a management agreement. Unfortunately this management structure for the port of Hastings had in statute a fairly narrow legislative base and failed to provide clear direction for future changes and development at the port, and management was thereby hamstrung.

The bill is designed to address these problems by replacing the Hastings Port (Holding) Corporation with the new Port of Hastings Corporation as its legal successor and providing the new corporation with a much broader charter through which it can actively plan for the development of the port and engage effectively with the local community and allow for greater consultation and the development of a vision with the local community as to where the development of the port will go in the future.

The importance of dealing with this need to empower the Port of Hastings Corporation, as it will become, with the authority to do greater strategic planning and land use development around the port is underpinned by the fact that it is the only potentially viable and yet underdeveloped deepwater commercial harbour that exists between Melbourne and Sydney. So its importance in future shipping and commercial activities in this state and in this country cannot be underestimated. It is a harbour and a port that still has great untapped potential, particularly in dealing with the larger vessels that will come to our shores in the future.

I understand that the first task of the Port of Hastings Corporation will be to initiate, along with the Department of Infrastructure and the Department of Sustainability and Environment, major strategic planning studies to identify long-term buffering requirements and to identify and reserve land for future transport corridor access to the port. We know there is incessant pressure for residential development in Melbourne and wider Melbourne on the outskirts of Melbourne.

It is therefore important that the planning be done at this stage to ensure that if the port of Hastings is to expand in the future, good freight and logistical networks are incorporated into that planning and that transport corridors be reserved as development goes on in those parts of Melbourne and the outlying areas down in the south-east of the peninsula and near the coast. It is important to give priority to that.

Another key element of the bill is to replace the Victorian Channels Authority with the new Victorian Regional Channels Authority, provide it with the power to hold Victoria's regional shipping channels on behalf of the Crown and to ensure appropriate management

arrangements are in place. The port of Melbourne now has responsibility for its own channels, but there is a need to provide for a separate body to ensure that those access channels are there for the regional ports in this state.

As Mr Bishop said, in the cases of Hastings and Portland this will involve maintaining existing channel operating agreements with the respective port managers there now. In the case of Geelong the corporation will retain direct responsibility as channel operator, but will contract in the majority of services required for this purpose. That is a very important commitment that the government has made — that is, that the ownership of the channels in the approach to the Geelong port be in public hands and that it be managed independently of the port of Melbourne so that the interests of Geelong users are protected.

There is some fear, as Mr Bishop again mentioned, that the port of Melbourne will overshadow, I suppose, or swamp Melbourne and that there will not be a level playing field. It is not the intention of the government to let that happen, so an independent channel manager — independent of the port of Melbourne — is proposed through the Victorian Regional Channels Authority for Geelong. As well, the Essential Services Commission will continue to regulate pricing and access arrangements for the channels.

One very important initiative, which is part of the provisions of the bill, is to include the requirement for safety and environment management plans so that there can be in the future a systematic approach to safety and environmental management within our ports system. This was a need that Professor Bill Russell identified. The bill requires all ports to have in place by 30 June 2005 safety and environment plans appropriate to the scale and nature of their particular port operation, although the time frame could be extended in specific instances.

A question was raised about whether or not this was overregulation, but the contribution of the Honourable Bill Forwood in the members statements section of our program this morning addressed the issue of the importance of workplace safety. Although he was not talking about environment plans, certainly workplace safety was on the agenda at a function that he had been to with Worksafe. The message coming through very clearly at that function was that the investment in workplace safety delivered not only in terms of safety for employees and employees but also to the bottom line. There may be some costs, but there will also be rewards in attending more assiduously through the requirements of this bill to port safety and environment

plans. That is extremely important given the hazards at ports and the risks involved in the materials that move in and out of ports as well.

This bill does very well in completing a historic package of legislative reforms in response to Professor Bill Russell's comprehensive review. Coupled with the changes that we already dealt with in the autumn sitting, which were to create the Port of Melbourne Corporation and to bring together the Port of Melbourne Corporation with the previous Victorian Channels Authority into one body, this bill lays the foundation for a rejuvenated port system. It provides a clear identification of roles and responsibilities of the various organisations and agencies involved in the ports throughout the state; it therefore reduces confusion. It is an excellent suite of reforms and changes. I commend the bill to the house.

Hon. B. N. ATKINSON (Koonung) — As has been indicated, the Liberal Party will not oppose the Port Services (Port Management Reform) Bill. We obviously share the sentiments expressed in the second-reading speech of the importance of our port infrastructure to Victorians and particularly, of course, to Victorian industry.

A paragraph in the second-reading speech indicates that the government is committed to ensuring that the legislative framework underpinning our port system promotes efficiency, effectiveness, safety, security and environmental responsibility on the part of our port manager and at the same time facilitates the effective contribution of the ports to the sustainable economic growth of the state. I hope that is the core sentiment of the government and not simply another statement of rhetoric.

This government has taken spin doctoring to new heights of experience for Victoria. Remarkable statements made on all sorts of issues bear no resemblance to the actual outcomes delivered by the government. It is imperative that the ports are recognised as vital infrastructure and record the proper consideration of legislative support and, where possible, other infrastructure support to ensure that they carry out the fantastic economic work they do on behalf of all Victorians.

Clearly from my perspective as the small business spokesperson for the Liberal Party I am keen to see that the ports function competitively and efficiently. I am mindful of the need for safety plans, and I support the concept in the legislation that ports should operate within effective management plans that provide for a

range of issues, including safety, environmental and other issues in the delivery of port services.

From a business point of view it is imperative that ports are efficient and effective because Victoria continues to be a significant manufacturing hub. We have many innovative producers of goods who rely on ports throughout Victoria, and to a large extent the port of Melbourne, to transport those goods to markets world wide. It is critical that the legislation gets it right.

The bill is hard to read in some respects because I do not know whether it is positive in all respects, whether the intention of some of the clauses, from the government's point of view, are designed to ensure that we have a dynamic, competitive and successful port network or whether some of those clauses introduce provisions which could well be used in a different way if the government so chose without reference back to the Parliament to make changes on how certain ports operate — and, I dare say, significant changes.

The basis of the appointment of the management of those ports, and even the designation of ports — particularly the 13 local ports throughout Victoria — is governed in many ways by the goodwill of the government. To my reading the bill allows significant change without much recourse to those port managers or the ports themselves.

The government may well plan to continue with established and appropriate procedures for the appointment of port managers, and therefore the consideration of service providers to those ports in accordance with the legislation and other companion legislation, particularly laws under the Marine Act. That is not entirely explicit in the legislation. I hope the government's intentions are aimed in the right direction and are supportive of the business community that relies so much on the ports — that is, in the best interests of all Victorians.

The reform process we talk about today in the context of this debate was started by the Kennett government. A Bracks government minister and the first speaker referred to some concern about the reform process and concerns apparently highlighted by Professor Russell. One must recognise that at the time of the first wave of reforms produced by the Kennett government the port system in Victoria was badly in need of new investment and new technology. It was certainly in need of greater labour flexibility. It was a port system that in many ways was gridlocked by outdated systems and practices.

While people might reflect on that for political purposes in all manner of ways, the reality is that those reforms delivered significant benefits to Victorians. This side of the house looks with some jaundice at any report prepared by Professor Russell. This is the man that you go to when you want to get a report, the text of which supports the conclusion or the policy you have already set.

I refer to an early report by him that was commissioned by the Kirner government concerning the extension of the Eastern Freeway. Professor Russell reached the dubious conclusion that there was no need for an extension to the Eastern Freeway and that all sorts of other things could be done, none of which was proved feasible by any of the government authorities, agencies or other experts who looked at the same issues that Professor Russell considered. I know at that time I was involved in the then Nunawading City Council and had a lot to do with Professor Russell. He showed scant regard for any of the submissions he received in preparing his report on the Eastern Freeway.

When it comes to this report and his comments on whether there were achievements from previous legislation regarding social and economic benefits for Victorians, as I said we have some jaundice about whether his position is entirely objective as he approaches the task of preparing such a report. Notwithstanding that, some of the issues he raised were worth consideration of the government in terms of legislative change as represented in the bill today.

Some of those changes are almost the same window-dressing we have seen from the government in much of its other legislation such as simply changing the names of particular organisations rather than effectively changing their functions. While the assertion of the second-reading speech would suggest that, for example, the Victorian Regional Channels Authority will achieve some significantly greater balance between the needs of all the ports, other than the port of Melbourne, with the Port of Melbourne Channel Authority it is hard to see how in real terms there will be any difference in the functions, responsibilities or outcomes of that body, and that the relationship of the body charged with the regional channels responsibilities is the one for the port of Melbourne.

While we change the name and put some spin on it, and say that this will achieve something more, it is difficult for me to understand what material difference there will be. I see the same situation with all of the ports, other than the port of Melbourne, being brought into a new authority with a different name. From that point of view I do not see that there is any material difference. It will

cost taxpayers money, as we so often see, with ministers running around trying to put their stamp on a whole bureaucracy with perhaps some view of their likely mortality. They change the names of these things but inevitably other ministers later come along and change the names again. All that happens is taxpayers pay a lot more in taxes for changes to letterheads, stationery, advertising, signage and so on.

If it does not achieve any significant material change in the roles and responsibilities of the authority, then I sometimes find it difficult to understand what the need is for the change of name. I have some concerns about whether the changes of name here are really material to what we need in terms of a better port system, or whether they are simply a minister or government trying to put their mark on the whole system by changing the name.

The opposition does not oppose the legislation. It does not do anything radical, and to that extent it seems fair enough. As I said, there are some benign clauses in this legislation that I hope the government does not use in a way that would prejudice the opportunity for Victorian businesses to access international markets as they look increasingly towards exports and developing new opportunities for all Victorians.

Hon. J. G. HILTON (Western Port) — It gives me great pleasure today to speak on the Port Services (Port Management Reform) Bill. As this bill is unopposed I do not intend to take up too much of the house's time. The purpose of this bill is to continue the implementation of the government's port reform program, which is essentially based on the results of the review by Professor Bill Russell of the Kennett reforms.

I was a little bit disappointed by Mr Atkinson's comments on Professor Russell. He appeared to be shooting the messenger while agreeing with the message. The purpose of this bill is to implement his recommendations, and if Mr Atkinson had any concern about Professor Russell's integrity, I would have thought he would move some amendments to the bill. So obviously he does not.

Professor Russell did conclude — and maybe this is where Mr Atkinson's concerns come from — that the Kennett reforms did not deliver widespread economic, social or environmental benefits to Victorians. He advocated a comprehensive package of changes which are implemented in this bill and the one we discussed earlier this year.

Specifically the bill addresses a number of issues that were seen as inhibiting the sustainable economic, environmental and social development of Victoria's ports. At this stage it is worth re-emphasising the importance of the port of Melbourne, and indeed of all Victoria's ports, to the economic environment of our state and country. By weight, 99 per cent of Australia's imports and exports are transported by sea. The port of Melbourne is Australia's leading container port and handles more than 37 per cent of Australia's containerised trade. It handled \$68 billion of trade in 2002, and directly and indirectly supports 8000 jobs.

The Bracks government is committed to ensuring that the ports can operate within a sustainable, appropriate, efficient and effective environment, whilst at the same time ensuring that the ports continue to contribute to the economic wellbeing of Victoria. Specifically the bill rationalises the way ports in Victoria are established, classified and managed. These changes will result in more appropriate legislative structures, which will underpin the management of Victoria's port system and facilitate the adoption of consistent standards to be utilised by all port managers.

I would now like to discuss this particular bill in terms of its effect upon the port of Hastings, which is within my electorate of Western Port Province. I compliment Mr Ron Bowden on his excellent contribution and his Cook's tour of the ports around Victoria. I obviously do not have the same knowledge as Mr Bowden, so I will concentrate on Hastings.

The original intention of the Kennett government was to sell the assets of the port of Hastings. However, fortunately that one sale did not proceed. But the former government amended the Port Services Act to establish the Hastings Port (Holding) Corporation to be the landlord for the port of Hastings. As part of this process a private operator would manage the port and the channel servicing the port under a management agreement. However, Professor Russell indicated that this was not the best operating system for the port of Hastings, and he concluded:

The port of Hastings is a significant strategic asset of Victoria and must be accorded an appropriate management structure and be provided with the ability to take a stronger strategic role in the future planning of this port.

The potential for the port of Hastings as a major contributor to the economic life of Victoria has been recognised by the Bracks government. It is now proposed in this bill to replace the Hastings Port (Holding) Corporation with a new port corporation, the Port of Hastings Corporation. Essentially the major change will be that the new corporation will have a

much broader responsibility to plan and manage the development of the port of Hastings so that it continues to play an increasing, active part in the commercial activities of Victoria. It is interesting that the importance or potential of the port of Hastings has been recognised for a long time.

Apparently there was a report written in 1928 called the *Outer Ports Report*, which states:

Shipping conditions approach perfection —

this is referring to Hastings —

and if future generations required employment of much greater vessels, very few ports in the world have sufficient natural depth, without recourse to the use of artificial means, to accommodate them.

I presume the artificial means would be some dredging activities. While the subject of channel deepening is not part of this bill, I believe it is relevant to the development of the port of Hastings. As members would be aware, at the moment there are significant ongoing studies to investigate the feasibility of deepening the channels in Port Phillip Bay and blasting the Heads to accommodate the next generation of container vessels, which requires 14 metres of draft. The current draft limit in Melbourne is 11.6 metres at all tides and 12.1 metres at high tide. It is by no means certain that the channel could be deepened to the extent required to accommodate the next generation of container vessels.

In the event that channel deepening is not found to be either economic or environmentally sustainable or feasible, Victoria will have a number of choices. It can significantly downgrade its container activities and rely on other ports around Australia, or it can utilise the advantages that the port of Hastings already possesses. I am advised that the port of Hastings can accommodate ships with 13-metre draughts at low tide and 15.5-metre draughts at high tide, and would accommodate container ships with a 14-metre draught for approximately 20 hours out of any 24-hour period. I am further advised that this accommodation can take place without additional dredging being required.

It would appear therefore that Hastings can accommodate all the next generation of container ships without undertaking the significant channel deepening works which would be required for the port of Melbourne. Obviously issues such as the transportation of containers from Hastings — presumably to a container hub at Dandenong — would need to be considered, as also would issues of environmental impact on Western Port Bay and the surrounding areas. However, it would appear that Hastings is a viable

option should it be decided that channel deepening within Port Phillip Bay is not sustainable.

I will respond to a query from the Honourable Barry Bishop relating to the \$400 000 of capital repayments in the latest accounts from the Hastings Port (Holding) Corporation. This is one of the issues which has been addressed by this bill. Previously the corporation was required to make repayments of surplus capital to the Treasury, which is what happened. The new corporation will have greater flexibility in managing its assets. It will not have the same requirement to return surplus revenue to the Treasury and will have the opportunity to use the surplus revenue in the development of its port activities.

As I indicated previously, this bill is the second stage of the reforms which were recommended to the government by the Russell report. Ports are absolutely essential for the sustained economic viability of our state. The government is committed to the appropriate development and maintenance of our ports, and I am happy to commend the bill to the house.

Hon. R. DALLA-RIVA (East Yarra) — I rise to speak on the Port Services (Port Management Reform) Bill and, in doing so, indicate that I do not oppose it. However, I will bring to the attention of the house a number of issues that have come to light, not only in debate but also in reviewing this legislation.

One of the interesting things in listening to government members in this debate is the fact that they have said at all times — and it is referred to in the second-reading speech — that this is the second stage of reform. It made me realise that I needed to go back to a debate we had in the autumn sitting on the Planning and Environment (Port of Melbourne) Bill. That bill was passed by the Legislative Council on 14 October 2002; it received the royal assent on 21 October and is act no. 77/03. In going through that bill I realised that it was only seven pages in total, so why did we have it? Why did we have debate on that legislation when we have just heard from government members that Professor Russell's report was an all-encompassing holistic report — if I read the document correctly.

It made me think perhaps the Minister for Planning was the reason why we divvy up the process; or is it the fact that this government has such a light-on business program that it has to divvy up recommendations into segments of legislation to make it look as if the government is doing something when in fact it is doing nothing? The government could have put all the bills together, but it appears to opposition members that we have to go through a second tranche when the bill could

have been debated in its entirety in the early stages. I put that on the record because it makes it sound as though the first stage was some major reform that the government put through, when in fact if members had read Professor Russell's report they would understand that the port of Melbourne was encompassed by the overall reform program.

I turn now to the bill itself, which is based on the continuing recommendations of Professor Russell's report. I had a look at the report entitled *The Next Wave of Port Reform in Victoria*. I had to read it a couple of times, particularly the executive summary and preface because, as the Honourable Bruce Atkinson indicated earlier, when you read parts of the report it is clear where the slant of the professor's report comes from. In the executive summary at page 2 the report states:

The whole of this port system was extensively restructured by the previous government in 1994–95, and the current review has had to assess those changes as well as to look to the future needs of the Victorian port system.

That is fair enough. It is fair to have an independent assessment and to determine how the program is going. It continues:

While they benefited some shippers by reducing wharfage rates, overall costs through the port increased, as costs not controlled, particularly road-related costs, rose markedly.

The next part sparked my attention. It says:

They also benefited the purchasers of privatised assets.

That is called 'free enterprise'; it is called a market. There is competition when you enter a free market stage and out of that there will be private operators who benefit from the program.

I turn now to the preface to Professor Russell's report dated 20 November 2001. He talks about how one of Victoria's economic strengths and competitive assets is its port industry. He goes on to talk about the reform that was introduced in the mid-1990s as something that was a disaster. Further down, in paragraph 5, you then understand why. It starts off:

The present Minister for Ports, the Honourable Candy Broad, MLC, asked me to chair this review of port reform in Victoria, to conduct research and to talk with industry ...

I went through the report to see who he consulted with and, of course, a number of key players were from the union movement — some of those typical hacks over there who drive their agenda — so it is not unreasonable to look at this report and see exactly what outcome was anticipated. The report slams the reforms that were put through in 1994–95 and suggests, 'We

have the direction here and this is what we are going to do'.

We need to put on the record the modus operandi of this government and particularly the intention of the professor in his report. It is unfortunate, as we heard from the Honourable Bruce Atkinson, that Professor Russell was involved in the Eastern Freeway. I do not know if he is involved in the Scoresby freeway discussions, but you could argue that if he is, that might be the reason the government is going down the road it is with that particular exercise — no pun intended.

The bill goes into a variety of details. The Honourable Ron Bowden has outlined the four principal reasons why this has occurred. I do not want to go into too much detail, other than to bring some issues to the notice of the house and particularly the government. It is interesting to see the intentions for the Port of Hastings Corporation under clause 9, and the Victorian Regional Channels Authority under clause 10, where you will see references to what their functions should be. It talks about its being commercially sound — that is way down the list; other things are considered more important. However, at the end of the day, if you do not have a commercially sound operation it can count for naught. This government is not about having commercially sound operations. We have heard today the debate about the way hospitals are being run and we have heard the debate in other areas about how this government just seems to drive down the economy of this state. If you look at this bill in detail you will see that that is exactly what it is doing. It is not really providing anything.

If you want to see how this government can dumb down innovation, I ask members to look at clause 11, which deals with the appointment of port managers of local ports. In proposed part 2A, section 44A(3) goes through in a very prescriptive manner what the port manager ought and ought not to do, but nowhere in that prescriptive discussion does the bill mention innovation. It does not talk about how port managers could be supported in developing great, greenfield sorts of suggestions. This, again, is unfortunately the sort of legislation that is before the house. It does not allow the port managers, or the entity, to engage in a very innovative and positive outcome that would benefit those who use the port system. Clause 11 is very stark.

But there is more. Proposed section 44A(4) deals with the ministerial directions that caused the Honourable Ron Bowden some concern, as he indicated in his contribution. I ask members to look again at that, particularly at how the minister can declare and make directions in other areas.

I will not talk too much further. I will go to the last point, which again has raised my concern and should raise the concern of all ordinary, law-abiding citizens of this state who would like a free and open environment, not one that is controlled and contrived by a government that forces its own ideology on the people of Victoria. I ask honourable members and the Victorian community to look at clause 17 of the bill. Proposed section 63AB(1) talks about a commission. It states:

... The Commission ... may require a person who is or was a party to the dispute to do, or refrain from doing, something ...

Again there is a prescriptive list of what you can and cannot do. If you do certain things under this state government, you will receive a \$12 000 fine. It is disgusting that this piece of legislation prevents people in this society conducting free speech. This government is putting forward another underhanded method. I do not oppose the bill, but it is a sham. The people on the other side ought to hang their heads in shame.

Mr SOMYUREK (Eumemmerring) — I rise to speak on the Port Services (Port Management Reform) Bill. This is the second bill introduced by the Bracks government to implement its program of port reform. The first, the Port Services (Port of Melbourne) Reform Bill, was enacted during the autumn sitting of Parliament and focused on the reform of the port of Melbourne.

This bill addresses a broad range of issues. The Kennett government reforms of 1995 involved a major restructuring of our ports industry. However, Professor Bill Russell was asked in 2001 by the then Minister for Ports, the Honourable Candy Broad, to review and assess those changes. Professor Russell subsequently advocated further changes in the report entitled *The Next Wave of Port Reform in Victoria*, which was published in July 2002. The first legislative changes flowing from it were implemented earlier this year.

This bill contains further amendments to secure the sustainable economic, social and environmental development of Victoria's ports. There is no need to dwell on the crucial role played by our commercial trading ports of Melbourne, Geelong, Portland and Hastings in the economy of this state and of Australia as a whole. The support expressed for the previous bill on the fact that our commercial trading ports handle around \$35 billion of trade annually, including nearly 40 per cent of Australia's container trade, suggests that both sides of the house understand the importance of this vital sector of our economy.

The port of Melbourne alone handles more than \$60 billion of trade each year and contributes in excess of \$5.4 billion to the state's economy. Victoria's 13 designated or local ports — from Mallacoota in the east to Port Fairy in the west — also make an important contribution to the regional economy, as well as through their normal port functions for recreational activities and tourism.

The five main amendments cover diverse areas concerning the future protection and promotion of our ports. The first group of amendments proposed in the bill will rationalise issues concerning the establishment, classification and management of ports in Victoria.

The second group concerns the port of Hastings, aiming to improve the deficiencies identified by Professor Russell in the set-up of the Hastings Port (Holding) Corporation. As he said in his report, the Hastings port requires an appropriate management structure and needs to be provided with the ability to take a stronger strategic role in its future planning. The third group of amendments in the bill redefines the role of the former Victorian Channels Authority. This follows extensive consultation with key stakeholders.

Another important series of issues is included in the fourth group of amendments, which deal with safety and environmental management in Victorian ports. The fifth group of amendments is a range of changes designed to improve the operation of the act.

The bill completes an historic package of legislative reforms in response to the review by Professor Russell. These reforms are crucial to the efficient, effective and sustainable operation of the port system in Victoria.

In tandem with the extensive legislative and administrative changes already introduced this year, the Port Services (Port Management Reform) Bill lays out a framework that will enable our port system to work better, compete more successfully and be better able to meet the challenges of the future. I commend the bill to the house.

Motion agreed to.

Read second time.

Third reading

Hon. J. M. MADDEN (Minister for Sport and Recreation) — By leave, I move:

That the bill be now read a third time.

In doing so I wish to thank honourable members for their contributions and support in bringing this bill through the chamber.

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

**EMERALD TOURIST RAILWAY
(AMENDMENT) BILL**

Introduction and first reading

Received from Assembly.

Read first time for Hon. M. R. THOMSON (Minister for Small Business) on motion of Hon. J. M. Madden.

ADJOURNMENT

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the house do now adjourn.

Rail: Museum station

Hon. ANDREW BRIDESON (Waverley) — Tonight I wish to raise an issue for the Minister for Planning in another place on behalf of a constituent, Mr Parker of Carnegie, who has taken the time to write to me. Mr Parker is very concerned that the government is going to close one of the entrances to Melbourne Central station, which is also known as the Museum station. According to Mr Parker, the decision to close this entrance was made by Minister Delahunty and was made in secret. His letter says:

The developers of Melbourne Central plan to close the convenient direct access between the railway station and the northbound tram stop in Swanston Street. Instead they want the commuters to negotiate several escalators and dodge browsing shoppers to reach their tram.

It also says:

Forcing passengers to negotiate a maze of shops and escalators when transferring can only reduce public transport patronage.

Mr Parker is concerned that this is contrary to the state government's policy to double transport use by 2020.

I ask the minister for the reasons behind the purported decision to close this entrance and ask her to consider

reopening the entrance, and to put into place some other process so that railway commuters can have an input into the refurbishment plans for Melbourne Central. I also ask if she would consider reversing her decision with the aim of helping all those who patronise our public transport system.

Footscray: car parking

Hon. S. M. NGUYEN (Melbourne West) — I raise a matter for the Minister for Transport in another place. I have received many complaints from customers who shop around Footscray because some of the shopping centres have started to employ car parking operators to charge people who want to use their car parking spaces during working hours. People have to pay for a ticket to use the car parks. The important thing is that if people do not pay for a parking ticket, they can be booked by private car park operators. A lot of people are surprised because, firstly, they are not aware they have to pay for car parking and, as I said, they do not know that they will be booked by private car operators if they do not have a ticket. Many people are very upset because they believe the shopping centre car park should be accessible to customers.

I ask the minister to speak to the authorities to find out whether the private car park operators have the power to book people who are using the car park. I talked to the local mayor, but he is unaware of the policy, so I seek clarification from the minister.

Scoresby Secondary College: maintenance

Hon. B. N. ATKINSON (Koonung) — I refer the Minister for Education and Training in another place to a problem caused by the failure of the education department to fund some works under a five-year plan developed from a physical resources management system (PRMS) audit of funding requirements for the Scoresby Secondary College. In meeting with the school council I have been advised that it has completed works at the school to the value of \$203 701, but in fact it has not received much of the money that was due from the government to meet those expenditures for the years 2002 and 2003. Indeed, against completed works so far, \$114 242 is unfunded by the department.

Some further works that are to be completed under the PRMS audit are to the value of a further \$82 578, for which at this point no funds have been provided. The total planned PRMS works for 2001–06 were of the order of \$400 521. The Scoresby Secondary College believes that some of these works ought to be done at an earlier stage than was provided for in the PRMS

audit, because it was possible to achieve some economies in having that work undertaken with workmen already on the site.

In other cases the school believes there were reasons to give higher priority from the school community point of view because of safety or security or because of the needs of the students and teaching staff. But they spent money from their own funds, funds in many cases raised by parents of that school community, on the basis that they expected to be reimbursed by the department under the funding programs that would normally apply to PRMS funding. That reimbursement has not occurred, and clearly the school is concerned that those funds might not be reimbursed in the future. If that is the case the parents and the school community will be unable to continue with other projects they had in mind that were legitimately to be paid for out of funds raised by the school community rather than funds that have been required for maintenance works which are really the responsibility of the Department of Education and Training. I ask the minister to look into this matter and accelerate funds to the school.

Glen Eira: child care

Mr SCHEFFER (Monash) — I raise a matter for the attention of the Minister for Community Services in the other place, the Honourable Sherryl Garbutt. The role of the City of Glen Eira in the steady privatisation of child care has been a growing concern to local parents. In recent days the issue has erupted again with Sunday's edition of the *Caulfield Glen Eira Leader* running two separate stories on what it calls the child-care crisis and on the council's September decision to close the Caulfield Children's Centre. The Glen Eira council says the centre has to close because the facility would not meet new state government standards. The council says it cannot afford the upgrade. I have called for the council to apply to the Victorian government for a three-year exemption to give it time so that the centre's 75 children and their families can keep using the service.

A report by the City of Glen Eira states that demand for child care in Glen Eira currently exceeds places available, and I suspect that the council is prepared to reduce its level of involvement in the provision of child care, because it wants the private sector to fill the vacuum. I ask the minister to provide me with information on what the Bracks government is doing to support local government such as the City of Glen Eira to maintain the role in the delivery of child-care services at a time when the challenge is on to improve operating standards in child-care centres.

Local parents are campaigning to keep the Caulfield Children's Centre open and are meeting with councillors to press their case. I strongly support their efforts. They want the right to choose community-based child care and they want Glen Eira council to maintain a strong presence. The Glen Eira report states that the total number of children in the 0-to-6 age group in Glen Eira will fall by about 10 per cent in the next 20 years but also says that demand may be influenced by work force participation levels — and increase.

Local parents say actual birth notifications show a steady increase in recent years and that the percentage of first-time mothers in Glen Eira is significantly higher than the state average. The report also states that the size of the market has expanded rapidly over the past decade and will continue to do so. The council is not especially concerned over the loss of child-care places when the Caulfield Children's Centre closes. They know the private sector will pick up the shortfall. While many parents are very happy with privately operated centres, a significant number want community-based care and are appalled by council vacating the field so that right now it provides only 16 per cent of the centre-based places.

Youth: Star 6 program

Hon. D. KOCH (Western) — I raise two matters for the Minister for Employment and Youth Affairs in the other place which relate to changes in the — —

The PRESIDENT — Order! To clarify, the member can only raise one matter on the adjournment. I ask him to rephrase his opening comments to the minister for referral to a minister in the other place.

Hon. D. KOCH — I raise a matter for the Minister for Employment and Youth Affairs in the other place. It relates to the change in the Star 6 program, which provides an excellent opportunity to students in country Victoria and in particular to students at the Murtoa P-12 College.

The intention to make this program part of the Victorian certificate of applied learning in year 11 takes away a tremendous leadership program from year 9 students which has been very successful in retaining the middle year students at Murtoa College. The involvement of the Duke of Edinburgh scheme has given this program credibility nationwide. Extra funds should be put into this program to ensure that all schools have access to the success that the program has had at Murtoa.

In the junior school there have been speculation and concern over the changes to the Star 6 program. This program is funded out of the Community Support Fund and provides travel funds to isolated country students so they can visit educational institutions such as Scienceworks, Melbourne Museum and even Parliament House, just to name of a few. Without legitimate reason or warning the Bracks government has decided to cut funding statewide for the Star 6 program at the end of this year.

Metropolitan school students have easy access to educational excursions into the city. Two or three dollars on a tram or train is all it costs to reach most city educational facilities. But for country students such as those from Murtoa College it will cost an extra \$100 per student to have their trip to Melbourne after this program is axed the end of the year. This further demonstrates discrimination against country students. Will the minister justify to Murtoa College why country students must again be penalised for living in isolated country communities by abolishing what has proven to be a very successful program in country schools?

Multicultural affairs: justice directory

Hon. KAYE DARVENIZA (Melbourne West) — I wish to raise a matter for attention of the Attorney-General, Rob Hulls, in the other place. The issue concerns the directory of justice services for multicultural Victorians which the Attorney-General launched today and which I was pleased to attend.

The multicultural justice directory is produced in Turkish, Arabic, Vietnamese, Somali and English. I know the directory will be most welcome in my electorate of Melbourne West which is one of the most culturally and linguistically diverse communities in Victoria. These communities — Turkish, Arabic, Vietnamese and Somali — are the new and emerging communities, and they face a number of barriers in accessing justice services. The translation of the directory into these languages demonstrates the improving responsiveness of the Attorney-General and the Department of Justice to our changing community.

I seek from the Attorney-General information relating to how this important and valuable information resource will be distributed and made available to my constituents from culturally and linguistically diverse backgrounds in Melbourne's west.

I congratulate the Attorney-General on an Australian first with today's launch of a multicultural justice directory. This is the first dedicated resource available to assist those providing justice services to people from

culturally and linguistically diverse backgrounds. It is an important resource that will ensure just outcomes for emerging culturally and linguistically diverse communities by improving their knowledge and their access to justice services.

State Emergency Service: rescue vehicles

Hon. P. R. HALL (Gippsland) — Tonight I wish to raise a matter for the attention of the Minister for Police and Emergency Services in another place. It concerns the Yarram State Emergency Service (SES) unit's rescue vehicle. I take the opportunity of putting on the record my strong support for the State Emergency Service. It is a wonderful organisation, and I add that the strength of this organisation is its volunteers who make it so great.

The Yarram unit of the SES is one of those very active units around country Victoria. About 12 months ago it took possession of a new vehicle, described as an F350 Ford. I am told this was one of 17 or 18 such vehicles delivered to SES units across the state, but the vehicle has a problem in that once it is loaded with all of the rescue gear it breaches the Vicroads weight regulations. It is then overweight, and the unit cannot take it, all geared up, out to the scene of an emergency.

I quote from the *Yarram Standard News* of Wednesday, 8 October, when SES controller Duncan McConnachie made these comments:

The maximum weight allowance of 5800 kilograms allows us to carry only the jaws of life, a couple of airbags and controls. There is no room for stretchers, backup, chainsaws, ropes, chocks, cables, pulleys, winches, tarps, plastic props or any of the standard equipment ...

We can understand that country units of the State Emergency Service need to take all that sort of equipment out to the scene of an emergency. They never know what is required, and it is not easy to get backup if they arrive at the scene of an emergency and do not have the right equipment.

The action I seek from the Minister for Police and Emergency Services is that he immediately make replacement vehicles available for those country SES units that require it so that they can attend emergency scenes fully equipped with all of their gear. I suggest to the minister that perhaps some of these current vehicles that do not suit the needs of country SES units could be swapped with some of the more city-based SES units that have more readily accessible backup to emergencies when they attend emergency scenes.

Children: obesity

Mrs CARBINES (Geelong) — I raise a matter with the Minister for Health in the other place. It concerns the disturbing findings of a Deakin University research study into childhood obesity. The Deakin study surveyed 1000 children from Colac's six primary schools and four kindergartens. An article on page 7 of the *Geelong Advertiser* of 28 October, entitled 'Fat kids epidemic', explains that:

Almost one in three primary aged girls and one in four boys are fat.

It states that:

... a survey of 1000 Colac children, 30.8 per cent of girls and 23.5 per cent of boys were either overweight or obese.

... statistics show that if these children are overweight as adolescents they will face a higher chance of early death, Dr Colin Bell of Deakin's school of health science, said ...

The article explains that the number of overweight children nationally is rising at about 1 per cent per year, which is a significant increase over the last decade. Dr Bell is quoted as saying that dietary habits have contributed to the increasing incidence of obesity in that children are not eating enough fruit and vegetables. Further, he points to the increasing inactivity of children who spend many hours per week watching TV or using computers as a contributing factor, which is compounded by the fact that fewer children walk or ride to school today than in the past.

I ask the minister, in light of the serious long-term health implications of childhood obesity, what action can she take to address its increasing incidence amongst Victorian children.

Prisoners: transport assistance

Hon. R. DALLA-RIVA (East Yarra) — I raise an issue for the attention of the Minister for Corrections in the other place. It relates to the 2002–03 annual report of the Travellers Aid Society of Victoria. It states that the society still has to look after prisoners or their families who are seeking financial assistance to get home.

The concerning thing about this report is that the number has grown by 2.7 per cent over the previous year — that is, there are now 453 prisoners or family members who are seeking some level of financial support because they are left in the city and have no way of returning to either outer metropolitan Melbourne or regional country cities.

They are very concerning figures. They indicate that we have a major problem of the continual dumping of prisoners. I do not like to use the word 'dumping', but it is the only word I can use to get it through the minister's mind, because he clearly does not understand this particular issue.

It is important to understand that prisoners who are released into the community without any support to return home could be — I am not saying they are — resorting to begging or petty theft to pay for their return home. The government is spending \$10.3 million each year to support programs for prisoners through its pre and post-release system, yet at the same time this welfare agency, through its homeward bound program, is diverting around 7.7 per cent of its total work to plugging the holes left by this government. It is important for the record that we understand that the duties and role of the government in dealing with a prisoner do not end when the prisoner is left on the streets of Melbourne to fend for themselves to get home. I request that the minister deal with this issue of prisoners being released without having sufficient support and to come up with some viable solution so that the prisoners or their families can at least get home or to their place of accommodation.

Housing: waiting lists

Ms HADDEN (Ballarat) — I raise an issue for the Minister for Housing. It concerns the recently released public housing lists for the September quarter. The figures show an increase in public housing waiting lists across the state in the June–September quarter of approximately 3.3 per cent. This is possibly explained by the booming property market and skyrocketing rental costs, which have seriously impacted on the increasing demand for public housing.

In contrast the Grampians region has experienced a decrease in public housing waiting lists of approximately 2 per cent in the June–September quarter. As we know, since the Bracks government came to office in 1999 Victoria has seen a drop in public housing waiting lists from 41 027 to 34 961. In the Grampians region the minister opened a new accommodation facility on 10 October at 37 Webster Street, Ballarat, which is managed by Ballarat's Catholic diocesan Centacare. It is a redeveloped two-storey former school boarding house accommodating 15 low-income tenants in individual self-contained rooms. That facility is fantastic for Ballarat city.

Unfortunately the shadow Minister for Housing, Mrs Helen Shardey, the honourable member for Caulfield in the other place, was reported in the *Ballarat Courier* of 1 November as criticising the increase in public housing waiting lists across the state, saying that the latest figures were unacceptable and that the Bracks government had cut funding to the people who need it most. I therefore request the minister to advise on the public housing waiting lists that have been recently released and how the minister is addressing the great need for affordable and accessible accommodation for low-income and public housing tenants.

Water: irrigation advisory committees

Hon. B. W. BISHOP (North Western) — My adjournment issue is directed to the Minister for Water in the other place, the Honourable John Thwaites. The issue of the structure of irrigation advisory committees, whose task is to provide a grassroots sounding board to our water authorities, is one that has caused considerable anxiety in some areas, particularly in the Sunraysia area. These advisory committees play an important part in an authority's formation of pricing and infrastructure upgrades, where they are able to inject a view based on the particular areas they represent.

Sunraysia Rural Water Authority chose to appoint its advisory committee through a selection process, with the selection committee being one board member and two independent members who select the advisory committee members from a list of applicants who respond to an advertised call for nominations. This process is not widely accepted by local irrigators, as they believe the democratic election system should be used, as it is in some other rural water authorities. When this was not in place, the irrigators formed their own irrigator councils at Merbein, Red Cliffs and Robinvale, with the First Mildura Irrigation Trust having its own action group. They have also formed the Sunraysia Irrigators Council as an overarching body across each of the four groups.

During the early days of the process I called on the then Minister for Water to do a review on the structure of water service committees, which was agreed to. If my memory serves me correctly, it began in June 2002 and was expected to be completed by August or September of 2002. The election of November 2002 got in the way, and the review lost focus. However, it got going again and was expected to report no later than the middle of 2003. There is still no sign of the review findings and recommendations, so I ask the Minister for Water when the report will become available, as there has been more than enough time to have it completed.

Taxis: fares

Mr PULLEN (Higinbotham) — My adjournment matter this evening is for the Minister for Transport, the Honourable Peter Batchelor in the other place. I refer to a report in the *Herald Sun* of 2 October 2003 that the peak taxi industry association, the Victorian Taxi Association, wants a 12 per cent increase in taxi fares. Fares last rose in December 2000 due to an increase in liquefied petroleum gas (LPG) prices and the introduction of the GST by the federal Liberal-National coalition government.

As the minister would be aware, the federal government's budget papers showed an intention to introduce an excise on LPG that has plunged the Australian LPG industry into a state of crisis and forced the nation's leading automotive LPG component supplier, the Australian Liquefied Petroleum Gas Association, into voluntary administration. The minister would be further aware that the Prime Minister wrote to that company on 19 November 2002 advising that the government has no plans to impose an excise on LPG. I therefore ask the minister whether he could advise me how much he would estimate taxi fares would rise by if and when an LPG excise is introduced.

Tourism: China Airlines

Hon. ANDREA COOTE (Monash) — I wish to raise an issue with the Minister for Tourism in another place. Before I start I would like to congratulate the Prime Minister on the very successful visit by Chinese President Hu Jintao last month.

China's huge population has enormous implications for tourism in Australia, and particularly for Victoria. To travel to Australia from China, Chinese tourists need to have an approved destination status (ADS). The approved destination status simplifies the exit procedures for Chinese tourists travelling from China to Australia: they are able to use ordinary passports and apply for tourist visas when wanting to visit an approved destination status country. It is quite an important issue.

The approved destination status has been approved for a number of provinces within China, but after this very successful visit by President Hu some additional provinces have been approved. I refer to the provincial government's directory, which says:

During President Hu Jintao's visit down-under last week, another agreement was signed to expand the coverage of Australia's ADS to include the Tianjin and Chongqing municipalities and Jiangsu, Zhejiang, Shandong and Hebei provinces.

Prior to that only Beijing, Shanghai and Guangdong province —

had appropriate ADS for travel, which is very important.

China Airlines is planning to boost its direct international flights into Sydney and is considering additional destinations within Australia. As the Minister for Tourism sat on his hands while Qantas reduced direct international flights into Melbourne Airport, I ask the minister what action he is taking to ensure that China Airlines makes Melbourne one of its Australian destinations.

Small business: Under New Management program

Mr SOMYUREK (Eumemmerring) — I refer a matter to the Minister for Small Business concerning the plight of migrant families who form part of an emerging low-income underclass in my electorate. I understand the government's Under New Management program encourages greater levels of participation by our multicultural community in small business to directly address this trend.

I am aware that in Victoria successful multicultural small businesses are vital to the state's economic, social and cultural success and that nearly 27 per cent of all small business operators are born overseas. This is a significant base from which we can further move towards solving the problems of the newly emerging underclass.

I refer the house to an article which appeared in the *Dandenong Journal* of 20 October 2003 entitled 'Low-income, new migrants build poverty'. The article states that of 400 people who visited the Springvale Community Aid and Advice Bureau, almost half of the clients have incomes of between \$300 and \$500 a fortnight. The City of Greater Dandenong has one of the highest concentrations of males aged between 25 and 44 years in the state with individual incomes lower than \$300 a week. Most of these people are from non-English-speaking backgrounds.

The Under New Management program offers hope to these Victorians interested in buying a business, buying a franchise or signing a retail lease. I specifically ask the minister to provide further information on the Under New Management program to encourage greater levels of participation by our multicultural community in small business to directly address this trend in my electorate.

Housing: Warrnambool property

Hon. J. A. VOGELS (Western) — Through the Minister for Sport and Recreation, who is at the table, I raise an issue for the Minister for Housing. It is a heartfelt plea from a constituent regarding a ministry of housing property at 33 Hood Street, Warrnambool:

I write to you as a matter of concern in regard to 33 Hood Street, Warrnambool. Myself and my wife together with three children own a house that shares a boundary with this house.

Over the past seven years your department has let 33 Hood Street to a number of tenants. Most of these tenants have given us some sort of trouble over the years, ranging from our house being broken into and ransacked, all of our personal things scattered around the room, fuel stolen from our cars, our shed broken into, rocks thrown at my children in the backyard, my children threatened with knives through the fence, and my children sworn at or verbally threatened, our rear fence kicked apart, countless brawls and parties lasting until the early hours of the morning, all sorts of weird, strange people wandering the streets all night, drunk and stoned people banging on the front door asking for us to ring a taxi in the middle of the night, and fires.

I have lost count of the times my children have slept in our lounge room because of the noise of a party or brawl or barking dog over our back fence.

Both me and my wife cannot remember the last time we slept through the night without getting up to check what a bang or thump was in the middle of the night ...

...

We are honest, law-abiding people, we pay our taxes and we work hard to pay for our house. We pay our rates and we cause no harm to anybody around us. But we constantly live in fear: is our home going to be broken into again?

...

... Why can we not feel safe in our own home?

This is not a new issue. I have some correspondence from over the last year or two from the previous ministers for housing; obviously nothing has happened. A letter of 26 August 2002 from the minister states:

The Office of Housing is committed to ensuring that public housing tenants and their neighbours have quiet enjoyment of the premises they occupy. Complaints of unsatisfactory behaviour by public housing tenants are thoroughly investigated and where breaches of a tenancy agreement are substantiated, appropriate ... action is taken ...

A letter of 23 July 2002 from the Gunditjmara Aboriginal Cooperative states, in part:

I understand and empathise with the residents in the Dennington area and acknowledge their concerns over the past use of the property.

And so it goes on.

These people have been harassed and given a hard time for seven years. The action I seek is that the Minister for Housing sell the house on the open market so it gets out of the system and gives these people, after seven years of harassment, a bit of peace. Nobody could ask for less than that.

Responses

Hon. J. M. MADDEN (Minister for Sport and Recreation) — In relation to the matter raised by the Honourable Andrew Brideson about Melbourne Central entrance closures affecting railway commuters usage, I will refer it to the Minister for Planning in another place.

The Honourable Sang Nguyen raised the matter of car park spaces, their costs in and around the Footscray shopping centre and their relevance to public transport. I will refer the matter to the Minister for Transport in another place.

The Honourable Bruce Atkinson raised the matter of a five-year plan regarding Scoresby Secondary College. I will refer this matter to the Minister for Education and Training in the other place.

Mr Scheffer raised the matter of the provision of child care in the City of Glen Eira. I will refer the issue to the Minister for Community Services in the other place.

The Honourable David Koch raised the matter of the Star 6 program and its respective funding. I will draw this to the attention of the Minister for Employment and Youth Affairs in the other place.

The Honourable Kaye Darveniza raised the matter of a directory of justice services for multicultural Victorians. I will refer this to the Attorney-General in the other place.

The Honourable Peter Hall raised the matter of the Yarram State Emergency Service rescue vehicle and associated matters surrounding the unit's new vehicle. I will draw this to the attention of the Minister for Police and Emergency Services in the other place.

Mrs Carbines raised the matter of childhood obesity, particularly in her electorate. I will draw this to the attention of the Minister for Health in the other place.

The Honourable Richard Dalla-Riva raised the matter of ex-prisoners and their families returning to their communities via public transport. I will refer this issue to the Minister for Corrections in the other place.

Ms Hadden raised the matter of public housing accessibility across regional Victoria. I will draw this to the attention of the Minister for Housing.

The Honourable Barry Bishop raised the matter of irrigation advisory committees and their respective advice to water authorities, particularly in regional Victoria. I will refer this to the Minister for Water in the other place.

Mr Pullen raised the matter of the Victorian Taxi Association's request for increased fares related to liquefied petroleum gas excise initiatives by the federal government. I will refer this matter to the Minister for Transport in the other place.

The Honourable Andrea Coote raised the matter of tourism opportunities from China using the associated China Airlines. I will draw this matter to the attention of the Minister for Tourism in the other place.

Mr Somyurek raised the matter of multicultural small business opportunities. I will draw this to the attention of the Minister for Small Business.

The Honourable John Vogels raised the matter of 33 Hood Street, Warrnambool. I will refer this to the Minister for Housing.

Motion agreed to.

House adjourned 5.39 p.m.

