

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

Wednesday, 20 June 2012

(Extract from book 9)

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

By authority of the Victorian Government Printer

The Governor

The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

Premier and Minister for the Arts	The Hon. E. N. Baillieu, MP
Deputy Premier, Minister for Police and Emergency Services, Minister for Bushfire Response, and Minister for Regional and Rural Development.	The Hon. P. J. Ryan, MP
Treasurer	The Hon. K. A. Wells, MP
Minister for Innovation, Services and Small Business, and Minister for Tourism and Major Events	The Hon. Louise Asher, MP
Attorney-General and Minister for Finance	The Hon. R. W. Clark, MP
Minister for Employment and Industrial Relations, and Minister for Manufacturing, Exports and Trade	The Hon. R. A. G. Dalla-Riva, MLC
Minister for Health and Minister for Ageing	The Hon. D. M. Davis, MLC
Minister for Sport and Recreation, and Minister for Veterans' Affairs	The Hon. H. F. Delahunty, MP
Minister for Education	The Hon. M. F. Dixon, MP
Minister for Planning	The Hon. M. J. Guy, MLC
Minister for Higher Education and Skills, and Minister responsible for the Teaching Profession	The Hon. P. R. Hall, MLC
Minister for Multicultural Affairs and Citizenship	The Hon. N. Kotsiras, MP
Minister for Housing, and Minister for Children and Early Childhood Development.	The Hon. W. A. Lovell, MLC
Minister for Corrections, Minister for Crime Prevention and Minister responsible for the establishment of an anti-corruption commission . . .	The Hon. A. J. McIntosh, MP
Minister for Public Transport and Minister for Roads	The Hon. T. W. Mulder, MP
Minister for Ports, Minister for Major Projects, Minister for Regional Cities and Minister for Racing	The Hon. D. V. Napthine, MP
Minister for Gaming, Minister for Consumer Affairs, and Minister for Energy and Resources	The Hon. M. A. O'Brien, MP
Minister for Local Government and Minister for Aboriginal Affairs.	The Hon. E. J. Powell, MP
Assistant Treasurer, Minister for Technology and Minister responsible for the Aviation Industry	The Hon. G. K. Rich-Phillips, MLC
Minister for Environment and Climate Change, and Minister for Youth Affairs	The Hon. R. Smith, MP
Minister for Agriculture and Food Security, and Minister for Water.	The Hon. P. L. Walsh, MP
Minister for Mental Health, Minister for Women's Affairs and Minister for Community Services	The Hon. M. L. N. Wooldridge, MP
Cabinet Secretary	Mr D. J. Hodgett, MP

Legislative Assembly committees

Privileges Committee — Ms Barker, Mr Clark, Ms Green, Mr McIntosh, Mr Morris, Dr Napthine, Mr Nardella, Mr Pandazopoulos and Mr Walsh.

Standing Orders Committee — The Speaker, Ms Barker, Mr Brooks, Mrs Fyffe, Ms Green, Mr Hodgett, Mr McIntosh and Mrs Powell.

Joint committees

Dispute Resolution Committee — (*Assembly*): Mr Clark, Ms Hennessy, Mr Holding, Mr McIntosh, Mr Merlino, Dr Napthine and Mr Walsh. (*Council*): Mr D. Davis, Mr Hall, Mr Lenders, Ms Lovell and Ms Pennicuik.

Drugs and Crime Prevention Committee — (*Assembly*): Mr Battin and Mr McCurdy. (*Council*): Mr Leane, Mr Ramsay and Mr Scheffer.

Economic Development and Infrastructure Committee — (*Assembly*): Mr Burgess, Mr Foley, Mr Noonan and Mr Shaw. (*Council*): Mrs Peulich.

Education and Training Committee — (*Assembly*): Mr Crisp, Ms Miller and Mr Southwick. (*Council*): Mr Elasmarr and Ms Tierney.

Electoral Matters Committee — (*Assembly*): Ms Ryall and Mrs Victoria. (*Council*): Mr Finn, Mr Somyurek and Mr Tarlamis.

Environment and Natural Resources Committee — (*Assembly*): Mr Bull, Ms Duncan, Mr Pandazopoulos and Ms Wreford. (*Council*): Mr Koch.

Family and Community Development Committee — (*Assembly*): Mrs Bauer, Ms Halfpenny, Mr McGuire and Mr Wakeling. (*Council*): Mrs Coote and Ms Crozier.

House Committee — (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Ms Campbell, Mrs Fyffe, Ms Graley, Mr Wakeling and Mr Weller. (*Council*): The President (*ex officio*), Mr Drum, Mr Eideh, Mr Finn, Ms Hartland, and Mr P. Davis.

Law Reform Committee — (*Assembly*): Mr Carbines, Ms Garrett, Mr Newton-Brown and Mr Northe. (*Council*): Mrs Petrovich.

Outer Suburban/Interface Services and Development Committee — (*Assembly*): Ms Graley, Ms Hutchins and Ms McLeish. (*Council*): Mrs Kronberg and Mr Ondarchie.

Public Accounts and Estimates Committee — (*Assembly*): Mr Angus, Ms Hennessey, Mr Morris and Mr Scott. (*Council*): Mr P. Davis, Mr O'Brien and Mr Pakula.

Road Safety Committee — (*Assembly*): Mr Languiller, Mr Perera, Mr Tilley and Mr Thompson. (*Council*): Mr Elsbury.

Rural and Regional Committee — (*Assembly*): Mr Howard, Mr Katos, Mr Trezise and Mr Weller. (*Council*): Mr Drum.

Scrutiny of Acts and Regulations Committee — (*Assembly*): Mr Brooks, Ms Campbell, Mr Gidley, Mr Nardella and Mr Watt. (*Council*): Mr O'Brien and Mr O'Donohue.

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

MEMBERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-SEVENTH PARLIAMENT — FIRST SESSION

Speaker: The Hon. K. M. SMITH

Deputy Speaker: Mrs C. A. FYFFE

Acting Speakers: Ms Beattie, Mr Blackwood, Mr Burgess, Ms Campbell, Mr Eren, Mr Languiller, Mr Morris, Mr Nardella, Mr Northe, Mr Pandazopoulos, Dr Sykes, Mr Thompson, Mr Tilley, Mrs Victoria and Mr Weller.

Leader of the Parliamentary Liberal Party and Premier:

The Hon. E. N. BAILLIEU

Deputy Leader of the Parliamentary Liberal Party:

The Hon. LOUISE ASHER

Leader of The Nationals and Deputy Premier:

The Hon. P. J. RYAN

Deputy Leader of The Nationals:

The Hon. P. L. WALSH

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

The Hon. D. M. ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Leader of the Opposition:

The Hon. J. A. MERLINO

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	Lim, Mr Muy Hong	Clayton	ALP
Andrews, Mr Daniel Michael	Mulgrave	ALP	McCurdy, Mr Timothy Logan	Murray Valley	Nats
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	McGuire, Mr Frank ⁴	Broadmeadows	ALP
Asher, Ms Louise	Brighton	LP	McIntosh, Mr Andrew John	Kew	LP
Baillieu, Mr Edward Norman	Hawthorn	LP	McLeish, Ms Lucinda Gaye	Seymour	LP
Barker, Ms Ann Patricia	Oakleigh	ALP	Madden, Mr Justin Mark	Essendon	ALP
Battin, Mr Bradley William	Gembrook	LP	Merlino, Mr James Anthony	Monbulk	ALP
Bauer, Mrs Donna Jane	Carrum	LP	Miller, Ms Elizabeth Eileen	Bentleigh	LP
Beattie, Ms Elizabeth Jean	Yuroke	ALP	Morris, Mr David Charles	Mornington	LP
Blackwood, Mr Gary John	Narracan	LP	Mulder, Mr Terence Wynn	Polwarth	LP
Brooks, Mr Colin William	Bundoora	ALP	Napthine, Dr Denis Vincent	South-West Coast	LP
Brumby, Mr John Mansfield ¹	Broadmeadows	ALP	Nardella, Mr Donato Antonio	Melton	ALP
Bull, Mr Timothy Owen	Gippsland East	Nats	Neville, Ms Lisa Mary	Bellarine	ALP
Burgess, Mr Neale Ronald	Hastings	LP	Newton-Brown, Mr Clement Arundel	Prahran	LP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Noonan, Mr Wade Mathew	Williamstown	ALP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Northe, Mr Russell John	Morwell	Nats
Carroll, Mr Benjamin Alan ²	Niddrie	ALP	O'Brien, Mr Michael Anthony	Malvern	LP
Clark, Mr Robert William	Box Hill	LP	Pallas, Mr Timothy Hugh	Tarneit	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Pandazopoulos, Mr John	Dandenong	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Perera, Mr Jude	Cranbourne	ALP
Delahunty, Mr Hugh Francis	Lowan	Nats	Pike, Ms Bronwyn Jane ⁵	Melbourne	ALP
Dixon, Mr Martin Francis	Nepean	LP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Duncan, Ms Joanne Therese	Macedon	ALP	Ryall, Ms Deanne Sharon	Mitcham	LP
Edwards, Ms Janice Maree	Bendigo West	ALP	Ryan, Mr Peter Julian	Gippsland South	Nats
Eren, Mr John Hamdi	Lara	ALP	Scott, Mr Robin David	Preston	ALP
Foley, Mr Martin Peter	Albert Park	ALP	Shaw, Mr Geoffrey Page	Frankston	LP
Fyffe, Mrs Christine Ann	Evelyn	LP	Smith, Mr Kenneth Maurice	Bass	LP
Garrett, Ms Jane Furneaux	Brunswick	ALP	Smith, Mr Ryan	Warrandyte	LP
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Southwick, Mr David James	Caulfield	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Sykes, Dr William Everett	Benalla	Nats
Green, Ms Danielle Louise	Yan Yean	ALP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Helper, Mr Jochen	Ripon	ALP	Tilley, Mr William John	Benambra	LP
Hennessy, Ms Jill	Altona	ALP	Trezise, Mr Ian Douglas	Geelong	ALP
Herbert, Mr Steven Ralph	Eltham	ALP	Victoria, Mrs Heidi	Bayswater	LP
Hodgett, Mr David John	Kilsyth	LP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Holding, Mr Timothy James	Lyndhurst	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Watt, Mr Graham Travis	Burwood	LP
Hulls, Mr Rob Justin ³	Niddrie	ALP	Weller, Mr Paul	Rodney	Nats
Hutchins, Ms Natalie Maree Sykes	Keilor	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Kairouz, Ms Marlene	Kororoit	ALP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Katos, Mr Andrew	South Barwon	LP	Wreford, Ms Lorraine Joan	Mordialloc	LP
Knight, Ms Sharon Patricia	Ballarat West	ALP	Wynne, Mr Richard William	Richmond	ALP
Kotsiras, Mr Nicholas	Bulleen	LP			
Languiller, Mr Telmo Ramon	Derrimut	ALP			

¹ Resigned 21 December 2010

² Elected 24 March 2012

³ Resigned 27 January 2012

⁴ Elected 19 February 2011

⁵ Resigned 7 May 2012

CONTENTS

WEDNESDAY, 20 JUNE 2012

CRIMINAL PROCEDURE AND SENTENCING ACTS AMENDMENT (VICTIMS OF CRIME) BILL 2012

Introduction and first reading.....2797

CRIMINAL PROCEDURE AMENDMENT BILL 2012

Introduction and first reading.....2797

CIVIL PROCEDURE AMENDMENT BILL 2012

Introduction and first reading.....2797

BUSINESS OF THE HOUSE

Notices of motion: removal.....2797

PETITIONS

Public transport: Point Cook.....2797

Essendon Primary School: upgrade.....2797

Strathmore Primary School: upgrade.....2798

Public sector: job losses.....2798

Planning: permit process.....2798

Buses: northern suburbs.....2798

OFFICE OF THE RACING INTEGRITY COMMISSIONER

*Betting activities of racing officials employed by
Victorian racing industry*.....2799

EDUCATION AND TRAINING COMMITTEE

Education of gifted and talented students.....2799

DOCUMENTS2799

PARLIAMENTARY COMMITTEES

References.....2799

MEMBERS STATEMENTS

*Casterton Secondary College: specialisation
grant*.....2800

Horsham Racing Centre: facilities.....2800

Wimmera Uniting Care: funding.....2800

Hospitals: city of Wyndham.....2800

SPC Ardmuna: upgrade.....2800

Falkland Islands: sovereignty.....2801

Ferntree Gully Arts Society: youth awards.....2801

Ferntree Gully Junior Football Club: awards.....2801

Sant Nirankari Mission.....2801

Knox United Soccer Club: relocation.....2801

School buses: Wheelers Hill Secondary College.....2801

Queen's Birthday honours.....2801, 2802, 2804

*Metropolitan Traffic Education Centre: young
drivers forum*.....2802

*City of Whittlesea: reconciliation dinner and
awards*.....2802

Nara Preschool: refurbishment.....2803

Monash Biomedical Imaging Centre: opening.....2803

Mowbray College: closure.....2803

Sam Autio.....2803

Planning: permit process.....2804

Eltham Little Theatre: short play competition.....2804

Parks Victoria: shire of Murrindindi.....2804

Gavin Gamble.....2805

Opposition: performance.....2805

Budget: community health sector.....2805

Grovedale Sports Club: redevelopment.....2805

*Great Ocean Road Coast Committee: Coast
Guardians program*.....2806

Spring Creek Reserve, Torquay: pavilion

redevelopment.....2806

Education: Essendon electorate.....2806

Astor Theatre: future.....2806

Health: women's services.....2806

Victorian Interpreting and Translating Service

LanguageLink: board.....2807

MATTERS OF PUBLIC IMPORTANCE

TAFE funding and public sector job losses.....2807

STATEMENTS ON REPORTS

Public Accounts and Estimates Committee:

budget estimates 2012–13 (part 1).....2828, 2830

Education and Training Committee: education

of gifted and talented students.....2829, 2831

Economic Development and Infrastructure

Committee: greenfields mineral exploration

and project development in Victoria.....2832

Drugs and Crime Prevention Committee:

locally based approaches to community safety

and crime prevention.....2833

CARBON TAX: ECONOMIC IMPACT.....2834

FORESTS AMENDMENT BILL 2012

Second reading.....2834, 2844

QUESTIONS WITHOUT NOTICE

Department of Treasury and Finance: corporate

hospitality.....2836

China: trade mission.....2836

Schools: education maintenance allowance.....2837

Emergency services: earthquake response.....2838

State Emergency Service: funding.....2838, 2839

Energy: security of supply.....2839

Roads: construction site safety.....2840

Students: attendance.....2841

Higher education: Auslan programs.....2842

Greyhound racing: integrity.....2842

SUSPENSION OF MEMBERS

Member for Mill Park.....2839

Member for Monbulk.....2841

Member for Eltham.....2842

Member for Macedon.....2844

DISTINGUISHED VISITORS2843, 2888

RESIDENTIAL TENANCIES AMENDMENT BILL 2012

Second reading.....2847

STATUTE LAW REVISION BILL 2012

Second reading.....2860, 2878

LOCAL GOVERNMENT LEGISLATION

AMENDMENT (MISCELLANEOUS) BILL 2012

Statement of compatibility.....2872

Second reading.....2874

RACING LEGISLATION AMENDMENT BILL 2012

Statement of compatibility.....2875

Second reading.....2877

EDUCATION LEGISLATION AMENDMENT (VET SECTOR, UNIVERSITIES AND OTHER MATTERS) BILL 2012

Second reading.....2880, 2888

ADJOURNMENT

HM Prison Ararat: expansion project.....2901

CONTENTS

<i>Australasian Worldwide Music Expo: marketing</i>	2902
<i>Southern Health: Narre Warren South</i>	
<i>electorate constituent</i>	2902
<i>Water: Murray-Darling Basin plan</i>	2903
<i>Lalor Gardens Primary School: funding</i>	2904
<i>Bright Art Gallery: funding</i>	2904
<i>Students: education conveyance allowance</i>	2905
<i>Forest Hill electorate: ministerial visit</i>	2905
<i>Eaglehawk Road, Bendigo: pedestrian crossing</i>	2906
<i>Patterson River: access tracks</i>	2907
<i>Responses</i>	2907

Wednesday, 20 June 2012

The **SPEAKER (Hon. Ken Smith)** took the chair at 9.33 a.m. and read the prayer.

**CRIMINAL PROCEDURE AND
SENTENCING ACTS AMENDMENT
(VICTIMS OF CRIME) BILL 2012**

Introduction and first reading

Mr CLARK (Attorney-General) introduced a bill for an act to amend the Criminal Procedure Act 2009 and the Sentencing Act 1991 and for other purposes.

Read first time.

**CRIMINAL PROCEDURE AMENDMENT
BILL 2012**

Introduction and first reading

Mr CLARK (Attorney-General) introduced a bill for an act to amend the Criminal Procedure Act 2009, the Children, Youth and Families Act 2005, the Magistrates' Court Act 1989, the Drugs, Poisons and Controlled Substances Act 1981, the Sentencing Act 1991, the Crimes Act 1958 and for other purposes.

Read first time.

**CIVIL PROCEDURE AMENDMENT BILL
2012**

Introduction and first reading

Mr CLARK (Attorney-General) introduced a bill for an act to amend the Civil Procedure Act 2010 in relation to costs and expert witnesses, to make other technical amendments to that act, to consequentially amend the Accident Compensation Act 1985 in relation to costs and for other purposes.

Read first time.

BUSINESS OF THE HOUSE

Notices of motion: removal

The **SPEAKER** — Order! I advise the house that under standing order 144 notices of motion 12 to 21 will be removed from the notice paper unless members

wishing their notice to remain advise the Clerk in writing before 6.00 p.m. today.

PETITIONS

Following petitions presented to house:

Public transport: Point Cook

To the Legislative Assembly of Victoria:

This petition of certain citizens of the state of Victoria draws to the attention of the Legislative Assembly the current congestion on arterial roads and inadequate public transport in and around the suburb of Point Cook.

Petitioners are:

concerned at the failure of the government to invest in road infrastructure to support Point Cook residents;

concerned that Point Cook residents are experiencing inadequate public transport access and services;

concerned to ensure that before further development in Point Cook is considered, the infrastructure and service needs of the current population relating to roads and public transport are addressed.

Petitioners therefore request that the Legislative Assembly implore the Baillieu state government to provide adequate funding in the 2012–13 state budget to ease road congestion and provide sufficient public transport access and services for residents in and around Point Cook.

By **Ms HENNESSY (Altona) (74 signatures)**.

Essendon Primary School: upgrade

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the house the need for significant upgrades of facilities at Essendon primary.

In particular, we note:

1. the poor conditions of the current Essendon primary facilities, and in particular the state of disrepair of a number of buildings;
2. that these poor conditions and insufficient facilities are adversely affecting the education and learning experience of the students attending Essendon primary;
3. the previous Labor government pledged to upgrade Essendon primary during the 2010 election campaign.

The petitioners therefore request that the Legislative Assembly urge the Baillieu government to urgently fund the much needed upgrade of Essendon primary.

By **Mr MADDEN (Essendon) (149 signatures)**.

Strathmore Primary School: upgrade

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the house the need for significant upgrades of facilities at Strathmore primary.

In particular, we note:

1. the poor conditions of the current Strathmore primary facilities, and in particular the state of disrepair of a number of buildings;
2. that these poor conditions and insufficient facilities are adversely affecting the education and learning experience of the students attending Strathmore primary;
3. the previous Labor government pledged to upgrade Strathmore primary during the 2010 election campaign.

The petitioners therefore request that the Legislative Assembly urge the Baillieu Government to urgently fund the much needed upgrade of Strathmore primary.

By Mr MADDEN (Essendon) (270 signatures).

Public sector: job losses

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the house the state government's plans to cut thousands of public sector jobs.

In particular, we note:

1. the total number of public sector positions lost will be far more than the 4200 indicated by the state government;
2. the state government is refusing to rule out further cuts;
3. these job losses will affect the provision of vital services supporting communities across Victoria;
4. the flow-on effect from the loss of these jobs, together with the 43 000 jobs already lost in this term of government will create further pressure on retail and small business.

The petitioners therefore request that the Legislative Assembly urge the Baillieu state government to abandon the planned jobs and funding cuts and guarantee no further cuts will be made.

By Ms DUNCAN (Macedon) (492 signatures).

Planning: permit process

To the Legislative Assembly of Victoria:

The petition of certain citizens of Victoria draws to the attention of the house the Baillieu government's plan to rush through 'code assess' legislation which threatens the livability of Melbourne and our suburbs.

In particular, we note:

1. developers that meet the 'code assess' standards will be fast-tracked for multistorey developments and local residents will have no warning, no say and no right to go to VCAT;
2. this legislation does not protect our suburbs from inappropriate development and it does not protect the rights of Victorians to have a say about the shape of their community;
3. this unrestrained development will put more and more pressure on already strained infrastructure like roads, schools, health services and public transport.

The petitioners therefore request that the Legislative Assembly urge the Baillieu government to withdraw the radical reshaping of the planning act that will remove community consultation from the development approval process and to rethink, to consult with the community and to ensure that any proposal protects and improves rather than destroys our neighbourhoods.

By Ms DUNCAN (Macedon) (1171 signatures).

Buses: northern suburbs

To the Legislative Assembly of Victoria:

This petition of certain citizens of the state of Victoria draws to the attention of the Legislative Assembly the Baillieu government's cancellation of and changes to bus services in the north. In particular, we note:

1. reduction in these bus services has occurred without community consultation;
2. the changes have brought about significant inconvenience and additional travelling time for families who rely on buses for school, work, shops and medical appointments.

The petitioners therefore request that the Baillieu government immediately restore services where these inconveniences have been caused, and provides new investment for services to meet the needs of our growing community.

By Ms D'AMBROSIO (Mill Park) (551 signatures).

Tabled.

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

Ordered that petition presented by honourable member for Mill Park be considered next day on motion of Ms D'AMBROSIO (Mill Park).

**OFFICE OF THE RACING INTEGRITY
COMMISSIONER**

**Betting activities of racing officials employed by
Victorian racing industry**

**Dr NAPTHINE (Minister for Racing), by leave,
presented report.**

Tabled.

Ordered to be printed.

**EDUCATION AND TRAINING
COMMITTEE**

Education of gifted and talented students

**Mr SOUTHWICK (Caulfield) presented report,
together with appendices and transcripts of
evidence.**

Tabled.

Ordered that report and appendices be printed.

DOCUMENTS

Tabled by Clerk:

Auditor-General:

Effectiveness of Justice Strategies in Preventing and Reducing Alcohol-Related Harm — Ordered to be printed.

Obsolescence of Frontline ICT: Police and Schools — Ordered to be printed.

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to the Waste Management Policy (Used Packaging Materials) (*Gazette G24, 14 June 2012*).

Ombudsman — Own motion investigation into Greyhound Racing Victoria — Ordered to be printed.

Police Integrity, Office of — Reporting wrongdoing in the workplace: problems for police — Ordered to be printed.

Statutory Rules under the following Acts:

Health Records Act 2011 — SR 44

Marine Safety Act 2010 — SR 45

Marine (Drug, Alcohol and Pollution Control) Act 1988 — SR 46

Pipelines Act 2005 — SR 42

Road Safety Act 1986 — SRs 47, 48

Sex Work Act 1994 — SR 41

Victorian Energy Efficiency Target Act 2007 — SR 43.

PARLIAMENTARY COMMITTEES

References

Mr McINTOSH (Minister for Corrections) — By leave, I move:

That under section 33 of the Parliamentary Committees Act 2003 the following matters be referred to the joint investigatory committee specified:

- (1) To the Economic Development and Infrastructure Committee — for inquiry, consideration and report no later than 24 June 2013 on issues relating to local economic development initiatives in Victoria and, in particular, the committee is requested to:
 - (a) examine the range of existing local economic development programs being carried out in Victorian municipalities;
 - (b) examine the appropriate role of local government in generating economic development and review the allocation of responsibility in this area with the state government;
 - (c) examine whether the role of local government in rural and regional areas has different economic development tasks to that of metropolitan-based municipalities;
 - (d) identify the barriers to local economic development, including compliance costs for business and planning delays, in operating in local municipalities and develop solutions to address these barriers;
 - (e) examine ways in which municipal councils and the Victorian government can jointly support local economic development, enhance and promote employment and attract new investment, especially in localities with emerging economic potential; and
 - (f) investigate best practice local economic development initiatives relevant to the terms of reference.
- (2) To the Drugs and Crime Prevention Committee — for inquiry, consideration and report no later than 24 June 2013 on issues relating to crime prevention in Victoria and, in particular, the committee is requested to:
 - (a) examine the extent to which safer design principles (including crime prevention through environmental design) are currently applied by local government authorities and the development industry in Victoria; and
 - (b) investigate the use of safer design or crime prevention through environmental design principles under local government or equivalent planning regimes in other jurisdictions.

Motion agreed to.

MEMBERS STATEMENTS

Casterton Secondary College: specialisation grant

Mr DELAHUNTY (Minister for Sport and Recreation) — I congratulate the students, teachers and parents of Casterton Secondary College on the college being one of 13 schools awarded \$100 000 to specialise in fields of their choice from the coalition government's \$2.5 million school specialisation grants program. The college's project is to develop a whole-school applied science specialisation, including wine chemistry/viticulture, physics, food chemistry, horticulture, aquaculture, hydroponics and agricultural science.

Horsham Racing Centre: facilities

Mr DELAHUNTY — The racing community and other users of the Horsham Racing Centre will have greatly improved facilities, including a brand-new toilet block, thanks to funding from the coalition government. This \$51 320 project, a joint government and racing industry initiative, is critical to providing enhanced facilities to this regional centre. Horsham plays host to 14 harness and thoroughbred race meetings each year, notably the turf cup in October and the harness cup in January.

Wimmera Uniting Care: funding

Mr DELAHUNTY — In 2010 one of the coalition's election commitments was to provide \$2.5 million to Wimmera Uniting Care for a community service centre. Last week I was pleased to see the federal government follow our lead to enable this facility to be built. State funding will come from the \$1 billion Regional Growth Fund, which aims to stimulate local economies and create services and jobs. This project is one way in which we are delivering on our strategy to grow the economy, build infrastructure and contribute to the health and wellbeing of people across the state. This is fantastic news for the people of western Victoria.

Hospitals: city of Wyndham

Mr PALLAS (Tarneit) — I rise to express concern about the matter of ambulance ramping times at Werribee Mercy Hospital and the need for the government to recognise and invest in meeting the growing health needs in Wyndham. The *Wyndham Weekly* recently reported that the hospital's already stretched resources are becoming increasingly overburdened. Last year ambulances spent an average

of 99 hours per month waiting at the hospital before the patients they had brought there for urgent care were able to be admitted. This had increased from 83 hours per month in the previous year, meaning that the gridlock, the delays in treatment and the time ambulances spend waiting rather than attending where they are needed is increasing.

On top of this, ambulances are being turned away from the hospital 13 per cent of the time. This is more than four times the state government's benchmark of 3 per cent. Part of the reason for this is the fact that the Werribee Mercy Hospital has been denied its own intensive care unit (ICU), despite the population growth in the area. The *Werribee Star* reported in February this year that the lack of an ICU meant that critically ill patients at Werribee Mercy Hospital were having to be transferred to other hospitals in the area, and until then needed to be cared for in the already busy emergency department.

The Baillieu government needs to recognise Wyndham as the major population centre it is rapidly becoming. It deserves full health services, or else this government's laxity will see the people of the community treated like second-class citizens.

SPC Ardmona: upgrade

Mrs POWELL (Minister for Local Government) — On Wednesday, 13 June, I had the honour of joining the Deputy Premier and Minister for Regional and Rural Development and the Minister for Manufacturing, Exports and Trade, the Honourable Richard Dalla-Riva, at SPC Ardmona in Shepparton for the wonderful announcement of \$90 million for the upgrade to SPC Ardmona. Managing director Mr Vince Pinneri outlined what would be implemented under the \$90 million package, including modernising the manufacturing plant and equipment, which will increase efficiency, reduce fruit processing costs, cut annual water use and annual energy consumption and promote innovative products.

SPC Ardmona is an iconic brand both in Australia and overseas and is a very large employer of local people, with 870 full-time equivalent staff. The company also indirectly supports more than 2700 more jobs in the Goulburn Valley. SPC Ardmona sources most of its 150 000 tonnes of fruit from local fruit growers.

The coalition government is contributing \$4.4 million to the upgrade. This investment will be welcomed by the current employees, growers and suppliers, as it shows SPC Ardmona has confidence in the region and its expansion means it is here to stay for a very long

time. The new investment will create 45 new, highly skilled permanent jobs. I congratulate SPC Ardmona on its commitment to the region and acknowledge the efforts of the managing director, Vince Pinneri, the directors and the staff in seeking new markets and new opportunities. The Baillieu government has supported this major employer with a major investment. It has been ready to give assistance wherever it can.

The SPEAKER — Order! Time.

Falkland Islands: sovereignty

Mr LANGUILLER (Derrimut) — I wish to confirm that I have now written to Mr Diego Morejón Pazmino, the chairperson of the UN Special Committee on Decolonisation at the United Nations headquarters, following consideration of the question of the Falkland Islands, which are also known as the Malvinas. I pointed out that I am aware that the maintenance of colonial situations is incompatible with the United Nations ideal of universal peace recorded in General Assembly resolutions and that it would be in the interests of the international community to have the governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland resume negotiations in order as soon as possible to find a peaceful, just and lasting solution to the sovereignty dispute relating to the question of the Falkland Islands.

I also expressed concern over the fact that the good relations between Argentina and the United Kingdom have not yet led to negotiations on the question of the Falkland Islands, given that those good relations should facilitate a resumption of the negotiations to find a peaceful solution to the dispute over sovereignty. I reaffirmed the principles of the charter of the United Nations on the non-use of force or the threat of force in international relations and the peaceful settlement of international disputes, calling attention to the importance of the secretary-general continuing his efforts to give full effect to the mission entrusted to him by the General Assembly in its resolutions on the question of the Falkland Islands. I also reaffirmed the need for the parties to take due account of the interests of the population of the islands in accordance with the provisions of the General Assembly resolutions on the question of the Falkland Islands.

Ferntree Gully Arts Society: youth awards

Mr WAKELING (Ferntree Gully) — Congratulations to the 19 entrants in the Ferntree Gully Arts Society second youth award exhibition, which I took pleasure in formally opening recently. This exhibition is open to students aged between 12 and 19.

All entrants submitted work of great quality and variety. I congratulate all the winners, including Rachael Dols, Caol Robinson, Savannah Laird and Magenta Kwan, Jeremy Swan, Belle Weninger, and Cameron Foo and Naomi Dreissen.

Ferntree Gully Junior Football Club: awards

Mr WAKELING — I recently attended the Ferntree Gully Junior Football Club annual dinner dance and would like to congratulate those who received awards for their outstanding and continuous efforts for the club. Congratulations to Graeme Gardiner on being awarded life membership of the junior club, Greg Lawson and Paul Eacott on their best clubperson awards and Sam Cavarra on being recognised by the Eastern Football League plus having a perpetual award named in his honour.

Sant Nirankari Mission

Mr WAKELING — It is pleasing to hear that the Baillieu government's \$150 000 funding commitment for the Sant Nirankari Mission in Rowville to upgrade its community kitchen and to drain and pave its driveway will begin to be paid shortly.

Knox United Soccer Club: relocation

Mr WAKELING — I would like to congratulate the President of Knox United Soccer Club, Mr Felice Lomuto, on his great leadership and the efforts of his committee in relation to the recent relocation of the club to H. V. Jones Reserve in Ferntree Gully. Knox United Soccer Club began six years ago with one team and has grown to 180 members fielding 14 teams of players aged from 5 to 15 years. The club has managed to consolidate its membership and increase its numbers every year by providing a comfortable environment for members, even though it has not had a permanent home.

School buses: Wheelers Hill Secondary College

Mr WAKELING — A number of Rowville and Lysterfield residents have raised concerns regarding local bus services for Wheelers Hill Secondary College. On behalf of these residents I raised the issue with the CEO of Ventura Buslines. As a consequence I am pleased to see Ventura working directly with the college to identify a solution.

Queen's Birthday honours

Ms RICHARDSON (Northcote) — Even the staunchest of republicans would be willing to admit that receiving a Queen's Birthday honour is one of the

highest official acknowledgements that an Australian can receive, and it is most certainly something to be exceptionally proud of. This year our local community was able to boast that two of its residents and their life's work were given the recognition they deserved in receiving the Medal of the Order of Australia. David Redfearn was awarded the Medal of the Order of Australia in recognition of his tireless work to preserve our local creeks and rivers, his service to our community through his time as a local councillor and the many hours he has dedicated to community causes in the Darebin area.

Receiving the medal is undoubtedly an acknowledgement from the top for David's hard work, but he has also been honoured and valued by his colleagues at the grassroots level. As a life member of the Friends of Merri Creek, the first ever president of the Yarra Riverkeeper Association and a founding member of the Merri Creek Management Committee, David's community bona fides are well and truly set in stone. On behalf of the entire Darebin community I want to thank David for his years of work in our local area. I am sure his work will continue to be a labour of love. I congratulate him on receiving this prestigious award.

Mary Crook has also been a trailblazer. She has raised awareness and actively promoted the prevention of violence against women. Mary's Be the Hero! program, which is a partnership between the Melbourne Storm and the Victorian Women's Trust, has set the benchmark for programs designed to raise awareness amongst men about the impacts of violence against women and to encourage men to take a proactive role in prevention. Mary has held the position of executive director of the Victorian Women's Trust since 1996, but she has also contributed to the community by acting as project director of Watermark Australia, which established the national water sustainability guidelines. Mary's fierce determination to support women in her community is a lesson for us all. Congratulations to Mary on this well-deserved award.

Queen's Birthday honours

Mrs FYFFE (Evelyn) — I wish to extend my congratulations to Brigadier Michael Phelps of the Australian Army, who was awarded membership of the Military Division of the Order of Australia in the Queen's Birthday honours list on 11 June this year. In addition to his current service in the army, Brigadier Phelps is a member of the Mount Evelyn sub-branch of the Returned and Services League, a passionate and hardworking band of veterans and their families who are an integral part of the Mount Evelyn community.

Brigadier Phelps was recognised for his exceptional service in sustaining the land capability of the Australian Defence Force and for ensuring the security of Australia and all Australians. As we can all appreciate, keeping a military force at the forefront of technological progress is an incredibly demanding task, especially given the complexities of modern operations as seen currently in theatres such as Afghanistan. My congratulations go to Michael and the members of his family, who must be very proud.

Metropolitan Traffic Education Centre: young drivers forum

Mrs FYFFE — On Thursday, 14 June, I was joined by the Minister for Roads and my colleagues the Minister for Youth Affairs and the members for Bayswater and Kilsyth at the Metropolitan Traffic Education Centre — or METEC — a young drivers forum at the Karralyka Centre in Ringwood. METEC is a not-for-profit organisation with 40 years experience in driver education, both on and off the road. It aims to reduce the road toll by ensuring high-quality training of road users.

Last Thursday we joined with VicRoads, Victoria Police, the Transport Accident Commission and approximately 60 young drivers to discuss ways of improving road safety. The morning was a great success. It generated good ideas to help prevent the senseless carnage on our roads. It was particularly encouraging to see young people getting involved in such a serious issue — an issue that, sadly, is likely to touch them and their friends. I thank Neill Sheldon and his dedicated team at METEC for putting on the forum.

City of Whittlesea: reconciliation dinner and awards

Ms D'AMBROSIO (Mill Park) — I was pleased to attend the third annual reconciliation dinner and awards night at the city of Whittlesea on Friday, 15 June. The awards night was a wonderful success. The guest speaker was Charles Williams, who gave a very inspirational speech not only from the heart but also from the head. He is a local boy who has certainly made good. He was able to impart a lot of wise information and suggestions for the future of the indigenous community locally.

We also had fantastic winners of various awards. The individual award was won by Karen Bryant. The community award was presented to RMIT Bundoora's indigenous arts unit. The education award was presented to Thomastown Primary School. The

champion award was presented to Lorraine 'Bunta' Patten.

The night was celebrated by some very strong entertainment. Denise McGuinness, who was the winner of the 2010 National Deadly Funny Award, presented an exceptionally funny skit to the audience. We were also entertained by Black Elvis, Gnarnayarrahe Inmurry Waitairie, who concluded the night. The Koori Choir, a bunch of young kids who got together, certainly entertained us, and they were a very pleasing sight.

I wish to congratulate the City of Whittlesea and the Whittlesea Reconciliation Group. They have done a lot of fine work to promote — —

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

Nara Preschool: refurbishment

Mr GIDLEY (Mount Waverley) — The challenges for Victoria in delivering kindergarten and preschool services consistent with the national quality standards whilst continuing to ensure access to three-year-old services are indeed significant. A standout example of preschools meeting these significant challenges is Nara Preschool, which is located in Mount Waverley.

On Saturday, 26 May, I had the pleasure of attending the grand opening of the newly refurbished Nara Preschool. The preschool provides open and flexible learning facilities with a modern kitchen, toilet and playground areas. The refurbished facilities come as a result of the support provided by the City of Monash and, importantly, the dedicated and disciplined fundraising efforts of the preschool committee over many years. I congratulate all those involved with the preschool who have contributed over many years to this outstanding facility for the kids of today and for future generations.

Monash Biomedical Imaging Centre: opening

Mr GIDLEY — On Wednesday, 30 May, I joined Professor Edward Byrne, AO, vice-chancellor and president of Monash University, and Professor Gary Egan, director of Monash Biomedical Imaging, at the official opening of the new Monash Biomedical Imaging Centre, the Monash node of Victorian Biomedical Imaging Capability. The centre was officially opened by the Minister for Innovation, Services and Small Business, the Honourable Louise Asher. The Monash node significantly broadens and deepens Victoria's capabilities within a key business precinct and important clinical catchment area. I

acknowledge and congratulate the many stakeholders who have contributed to delivering this facility, including Monash University, Monash Biomedical Imaging, Siemens Australia and the Victorian government. It was pleasing to see \$8.5 million contributed by the Victorian government.

Mowbray College: closure

Ms HUTCHINS (Keilor) — I rise to acknowledge the heartache and stress suffered by students, parents and teachers in my local community due to the financial collapse and subsequent closure of Mowbray College. Like many parents, I ask why this was able to happen. Clearly there needs to be closer regulation of the operation of such schools as well ongoing support for parents and students in the wake of the collapse.

I congratulate the three schools in my electorate for their amazing efforts in taking on students from Mowbray College, particularly Catholic Regional College (CRC), Sydenham, which took in a total of 166 students from years 11 and 12. I congratulate all the teachers and principal Brendan Watson for the amazing efforts they have put in over the last weeks. Taylors Lakes Secondary College took in 20 students from years 7 and 8, and I congratulate principal Geoff Pell on a smooth transition. Copperfield College in Delahey also took in 15 students, and I thank principal Tony Simpson for his efforts.

I also remind the government of the need for a bus service to operate between Melton, Caroline Springs and CRC Sydenham to help support students who now have to face a long trip between home and school to complete their secondary education. This compounds the ongoing issue in the outer west of the need for a further secondary school in the Taylors Hill and Taylors Hill West precinct. Land was set aside in the Taylors Hill West precinct plan — —

The SPEAKER — Order! Time.

Sam Autio

Mr WATT (Burwood) — This year St Mary's Salesians Amateur Football Club has provided an opportunity for two young players from the Palmerston Magpies Football Club in the Northern Territory to play football in Victoria and also receive an education. One of those players is 18-year-old Sam Autio. The VAFA (Victorian Amateur Football Association) *Record* of two weeks ago refers to Sam and states:

After threatening a number of times this year, with two or three goals most weeks, he burst into the spotlight as the VAFA Rising Star this week, kicking 16.2 of the SMS 20.12

in their win against Emmaus St Leos on Saturday, all but one from contested marks. He would have broken the club record 17, had he not selflessly passed off a number of opportunities to team mates in better positions.

I went down to the club on Saturday to watch another five-goal performance from a great young talent from the Northern Territory. As much as this idea is about football, it is also about setting the boys up with a decent education. Congratulations to the club on the initiative and to Sam on his great performances so far this year.

Planning: permit process

Mr WATT — Recently Mr Lenders, a member for Southern Metropolitan Region in the other place, distributed misleading material in my electorate of Burwood stating that new laws could drive down the value of homes. He was talking about fast-tracking multi-unit developments. VicSmart will provide some certainty to the community and free up council resources for more complex applications. It will apply to straightforward, low-impact applications. These applications will be clearly set out in planning schemes so that applicants and the community will know in advance how applications will be handled. The types of minor permit applications being considered for VicSmart make up approximately 10 per cent of all permit applications. Its important to note that high-rise and unit developments will have to go through the usual planning permit process requirements that already apply. I have received good feedback from our recent VicSmart announcement. Mr Lenders knows he is misleading his constituents, and he should come clean and apologise to the people of Burwood.

Eltham Little Theatre: short play competition

Mr HERBERT (Eltham) — I rise to congratulate Eltham Little Theatre, an active and vibrant not-for-profit amateur theatre company, on its recent production *Ten Minute Quickies*, a short play competition featuring 11 separate plays by writers from around Australia which has been praised for the opportunity it has provided to Australian playwrights to have their work performed. The production ran for four performances over three days at the Eltham Performing Arts Centre and involved 50 members contributing their expertise. The production was a resounding success, with almost all tickets being sold and with the performances receiving many rave reviews.

I take this opportunity to congratulate and thank the producer, Paula Armstrong, the members of the production team, Phil Holmes and Jean Russell, and all of the actors, cast and crew. I would like to especially

mention the award winners, Kylie Rackham, Kristen Field, Paula Armstrong, Brett Hyland and Gabby Llewelyn Salter on their awards.

Eltham Little Theatre has a long and successful history as an active community organisation in that area, and it is going from strength to strength. I wish it well for the future and look forward to being part of its continued success. Perhaps next year it could have a 10-minute quickie for the Minister for Police and Emergency Services titled 'Such is life'. Congratulations to all on a job well done.

Parks Victoria: shire of Murrindindi

Ms McLEISH (Seymour) — I rise to recognise the dedication and commitment of Parks Victoria staff working in the Murrindindi shire. In particular I praise them for their work over the last few years, which have been trying and have certainly thrown up more than their fair share of challenges. Much of the parkland in the area was devastated by the 2009 fires and staff were impacted, as most of them lived and worked in the area. Rebuilding the parks takes time and of course is not always easy. The staff are in it for the long haul, and they realise the importance and the benefit of increasing visitation to the area.

One project in particular, the Bowden Spur downhill mountain bike track, which was initiated by the community, was coordinated by the Kinglake team. It is a 2-kilometre downhill double black track named Shepherds after Danny Shepherd, who as a lad spent a lot of time riding his mountain bike in that area with his mates, creating tracks. Sadly, Danny lost his life in the fires. The fact that his mother, Dini, brother, Luke, and widow, Bree, were there at the opening was terrific to see.

The Cathedral Ranges State Park also opened the Messmate Track, which connects the Sugarloaf Saddle with Cooks Mill within the park. I was pleased to open that project, which involved the Victorian Bushfire Appeal Fund, the People and Parks Foundation, Parks Victoria staff, members of the community and the local school, and volunteers. The rangers in charge of the areas — Ion Maher and his team, and Julie Flack and her team — are to be congratulated for their efforts over the long term.

Queen's Birthday honours

Mr NOONAN (Williamstown) — It seemed absolutely fitting that three outstanding women, all from Williamstown, were recognised together on the same day in the most recent Queen's Birthday honours

list. Joan Kirner, AC, Terry Bracks, AM, and Liz Jones, AO, have collectively devoted their lives to a diversity of endeavours, including politics, education, community development, the environment, civil rights, social inclusion, the performing arts, health, Aboriginal reconciliation and the advancement of women.

Eighteen years after leaving Parliament Joan Kirner continues to serve as Victorian Communities Ambassador. Joan's lifelong contribution to the Victorian community, together with her enviable list of achievements, has always been underpinned by a strong set of values. Those values include that people matter, that women matter as much as men do, that all people deserve to be treated with respect, that the people affected by decisions should be part of making them and that equity before the law and in the distribution of resources underpins a successful, socially just society.

Terry Bracks stumbled upon a youth organisation in Mildura and decided to replicate the model with Western Chances. Since that moment in 2004 the organisation has assisted more than 1400 young people and provided about 2500 scholarships worth almost \$2 million. Terry's passionate and unwavering contribution has been of the highest order.

Finally, Liz Jones has also been recognised for her lifetime devotion to the performing arts, including through 36 years as artistic director of La Mama Theatre and in committee and board roles with Women Playwrights International and Chamber Made Opera.

Gavin Gamble

Ms RYALL (Mitcham) — I would like to acknowledge Mr Gavin Gamble, the very hardworking and widely respected principal of Laburnum Primary School. Gavin's contribution to primary teaching, to the Department of Education and Early Childhood Development and as principal of three primary schools has been outstanding. With Gavin's retirement about to commence, I thank him for his excellent service to the school community and wish him the very best on the golf course and throughout the next stage of his life.

Opposition: performance

Ms RYALL — We all know that the opposition struggled to lead Victoria for 11 years, but one thing it does not struggle with is leading survey participants to answer questions in the way it wants them to. In a recent electorate-wide survey that is signed by a man called 'Dan', constituents in the Mitcham electorate were asked if the state government needs to fully fund the development of the Box Hill Hospital. Based on the

opposition's scientific questions, I should be asking in a survey if the Labor opposition should apologise for spending \$1.8 million of taxpayers money per day for 27 years. Talk about leading the witness! These questions are not the type that constitute a professional survey. This is a desperate opposition — an opposition with no plans, no clues and no ideas for the future of this state.

Budget: community health sector

Mr HOWARD (Ballarat East) — Since the Baillieu government budget was brought down we have learnt of major cuts being made in many areas across our communities. Whilst the devastating level of cuts to TAFE funding has attracted much attention, we are now learning of details regarding funding cuts to other areas. During the last week community health centres have gained further clarification about what the Baillieu government cuts mean for them. The Minister for Health, David Davis, has confirmed that there will be a cut of over 26 per cent to the health promotion budgets of community health centres across the state along with a 10 per cent cut to women's health programs. This is estimated to mean a cut of about \$10 million to health promotion programs across the state.

I am advised by the CEO of Ballarat Community Health that this means a cut of approximately \$500 000 to her budget over the next two years, which will see the loss of four staff members and, more importantly, the loss of programs which have provided beneficial and positive health outcomes for many Ballarat residents. These include effective programs to help stop smoking and to address childhood obesity, diabetes education, sexual health screening and treatment as well as the Smart Ask program, which addresses a range of health issues for teenagers. Those involved in these programs speak passionately about them because they have seen how they have had direct health benefits for so many vulnerable people. I urge the government to review these cuts and restore funding for the community health sector.

Grovedale Sports Club: redevelopment

Mr KATOS (South Barwon) — Last Saturday I had the pleasure of officially opening the redeveloped Grovedale Sports Club. I am proud that the Baillieu government has provided \$200 000 towards this project and fulfilled its 2010 election promise to upgrade the club. The upgraded and extended function space will enable the club, which has over 800 members, to cater for the needs of the Grovedale sporting community as well as the broader community, including Grovedale College.

This project has been the result of hard work by a number of organisations, and I take this opportunity to acknowledge the City of Greater Geelong for contributing \$569 000 and thank the various clubs involved. I also thank Reece Chadwick for his hard work over the last eight years in seeing this project become a reality.

Great Ocean Road Coast Committee: Coast Guardians program

Mr KATOS — I was delighted to visit Geelong Lutheran College at Mt Duneed last Thursday to launch Coast Guardians, a new environmental education program developed by the Great Ocean Road Coast Committee. Coast Guardians are year 9 students from Lorne Aireys Inlet P-12 College, Geelong Lutheran College, Torquay College and Northern Bay P-12 College who are taking ownership of the rehabilitation and conservation of four sites along the coast between Torquay and Lorne over the next three to five years to increase awareness of environmental issues. I commend this program, which is funded by the Great Ocean Road Coast Committee and provided free of charge to the schools.

Spring Creek Reserve, Torquay: pavilion redevelopment

Mr KATOS — Last Thursday I was pleased to accompany the Minister for Sport and Recreation, Hugh Delahunty, to Torquay Football Club to announce state government funding of \$200 000 for the Spring Creek Reserve pavilion redevelopment. This funding honours a 2010 election commitment, and I would like to commend all those involved, in particular Denis Ryan for his tenacity and perseverance. Torquay's Spring Creek Reserve project entails the redevelopment of the current pavilion to enable the Torquay football, netball and cricket clubs to encourage more people to become involved — —

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

Education: Essendon electorate

Mr MADDEN (Essendon) — I rise to express my outrage at this government's position on education and its sense of exclusivity and privilege when it comes to education funding in the state, particularly in the Essendon electorate. What we have seen in recent times is no funding for either the Essendon Keilor College upgrade or the Essendon Primary School upgrade works and continued development of that school, and we have seen a particular lack of investment in and

funding for Strathmore Primary School. This is on top of the significant cuts to the education maintenance allowance and cuts to funding for regional network leaders and literacy coaches in schools.

Combined with the cuts recently announced in the state budget in relation to TAFE, which are having a significant impact in the Essendon electorate on those who attend or who wish their family members to attend Kangan Institute and Victoria University TAFE, we will see a significant impact on those who want to transition to better opportunities in life. This applies particularly to hospitality and small business courses. Hospitality, whilst in heavy demand, is often a transition course for those who want to make their way in the world, particularly in the tourism industry but also in small business. Undertaking such courses enables those people to find an opportunity for employment and then move on to bigger and better things. Unfortunately what we have seen is an attitude of exclusivity and privilege from a leader and a government that just do not understand the role of education in the community.

Astor Theatre: future

Mr NEWTON-BROWN (Prahran) — Last weekend I was invited by George Florence, the operator of the Astor Theatre, to attend a rally in support of the ongoing existence of that theatre in its current format. It was an amazing day. Every seat in the house was taken — over 1000 people turned up. Many local identities came to offer their support, including actor Stephen Curry. Melburnians were there to show their support for the Astor Theatre and what it offers, which is something totally unique. It is one of the last surviving cinemas of its type. We have lost so many of those types of independent cinemas, such as the Valhalla Cinema and the Carlton Moviehouse, over the years.

Last night I called on the Premier as the Minister for the Arts to offer the expertise of Arts Victoria to the theatre operator and the owner of the building to come up with a resolution for the ongoing survival of the theatre in its current form. I am pleased that I have organised a meeting today with a representative from Arts Victoria who will assist the theatre operator and the owner of the building to explore options. I am hopeful that that meeting will bear some fruit in terms of coming up with a new direction for this great Melbourne icon.

Health: women's services

Ms GREEN (Yan Yean) — I rise today to express my concern that some of the smallest and most

cost-effective parts of the health budget seem to be wearing the highest level of cuts in the Baillieu government's budget. The Baillieu government's decision to cut more than \$25 million from integrated health promotion funding in women's health services and community health services will have a disastrous impact on Victorian women and the community across the state. Nine regional women's health services and three statewide services funded through the program will be impacted upon. Victorians will be horrified to learn that fire-and-flood-affected communities like Kinglake and Gippsland will not be exempt from these cuts.

The women's health centres around Victoria that will be affected are: Women's Health East, Gippsland Women's Health Service, Women's Health Grampians, Women's Health Goulburn North East, Women's Health Loddon Mallee, the Multicultural Centre for Women's Health, Women's Health in the North, of which I am a founding member, Women's Health Victoria, Women's Health West, Women's Health in the South East, and Women's Health and Wellbeing Barwon South West. Those services derive an average of \$500 000 to cover 51 per cent of the population in the entire region. Cuts of from 10 per cent to 28 per cent will gut those services.

In the Hume region the service providers are very concerned and have said:

Which organisations ... would seek out women's experiences after disasters and seek to inform emergency services that violence against women increases after disaster?

The SPEAKER — Time!

Victorian Interpreting and Translating Service LanguageLink: board

Mr KOTSIRAS (Minister for Multicultural Affairs and Citizenship) — I wish to advise the house that I have recently appointed Phil Honeywood as the chair of the Victorian Interpreting and Translating Service board. He is taking over from Alex Andrianopoulos, who was appointed by the previous government. Phil brings vast experience to this position.

The SPEAKER — Order! The minister's time has expired.

MATTERS OF PUBLIC IMPORTANCE

TAFE funding and public sector job losses

The SPEAKER — Order! I have accepted a statement from the member for Mulgrave proposing the following matter of public importance for discussion:

That this house condemns the Baillieu-Ryan coalition for its sustained attack on working families, in particular:

- (1) taking an axe to TAFEs, resulting in the closure of campuses, cuts to courses and job losses; and
- (2) cutting and slashing public service jobs across the state with regional towns being hit hardest; and

notes that the real victims of the infighting between the Liberals and Nationals are the people of Victoria who are pleading for a government concerned about their futures rather than its own.

Mr ANDREWS (Leader of the Opposition) — This is a definite matter of public importance, a definite matter of interest to Victorians right across our state. It covers a series of cutbacks and the style and approach — the form — of this government, which is not to invest and put in, not to strengthen, not to grow and not to back Victorians to help them prosper and take advantage of the opportunities that we know they can and will take advantage of with government support. This matter of public importance is about the cutbacks and the wrongheaded and mean-spirited priorities of this government.

It is very clear to me and to many Victorians that this Premier just does not get it — he just does not get it. If he had been with me on Friday when my honourable friend the member for Eltham and I visited Holmesglen TAFE, which is not far from my local community, he would have seen the devastation and the deep and serious cutbacks as well as the significant effect those cutbacks in TAFE are having on Victorians right across our state.

We went to Holmesglen TAFE and met there with members of senior management, who are in a very difficult situation because of this government's choice, not because of any obligation. In a moment I will come to the notion that it is always someone's fault. The management at Holmesglen, along with TAFE management across the state, faces very uncertain and difficult times. It has very difficult decisions to make because of this government's cutbacks. We then went to visit a couple of classes. We went to speak to some VCAL (Victorian certificate of applied learning) students who have an intellectual disability. The students are doing part of the VCAL at TAFE. It is a hope-filled amazingly positive group of students who

are learning the life skills they need so they can realise their full potential and take their rightful place in — I would have thought — a fair, just and respectful Victoria. We then went and visited some students studying graphic design. It is an edgy, modern, really dynamic and contemporary group of students who not only do great quality work but have that spark and energy that is so critical to an innovative and creative future for our state.

It struck me. We have heard from the Premier and Minister Hall, the Minister for Higher Education and Skills — and I will come back to him in a few moments — and all the government members on the back benches who bleat out the lines about these cutbacks that they are fed by their masters. It struck me that despite all the talk about the need to reform TAFE to make sure that TAFE is responsive to the needs of industry and the market and that TAFE is there to deliver what the economy needs, people should look into the eyes of those intellectually disabled VCAL students. TAFE for them is not about the market, TAFE is not about the economy and TAFE is not about meeting industry needs. Their training is for them. Any government that would make it harder for those kids to realise their potential is no government at all. It is a mean-spirited group of individuals who just do not get it.

Mr Newton-Brown interjected.

Mr ANDREWS — The member for Prahran would do well to say something, but not so much in this debate, I would think. I will get to jobs and the sorts of courses that have been cut in just a moment. But if the Premier took the time to go and visit Holmesglen and the students I met on Friday, perhaps he would understand that he has got this completely wrong. These are the deepest cuts that TAFEs have ever seen. They are going to close down courses and campuses, and thousands of jobs will be lost across Victoria. How that can be good for individuals, for communities and for our state I do not know. It cannot be good for anyone.

It is not just the Labor opposition saying this; it is not like the government was not warned. There are many people across the TAFE system saying this. For instance, David Battersby made it very clear before the budget was released when he said:

Any significant cuts to TAFE funding certainly would be disadvantageous with respect to meeting workforce requirements in regional Victoria.

The government was warned and it knew. Its own minister knew how bad this was when he wrote his

heartfelt letter. Then that became public, and he wrote another one pretty quickly to say, 'Can I put that toothpaste back in the tube, please? Can I put the genie back in the bottle?'. Peter Hall's letter might have made him feel better, but it is doing nothing for thousands of educators in our TAFE sector who are going to lose their jobs. It is doing nothing for thousands of students who are not going to be able to enrol in courses that they ought to be entitled to enrol in. It is doing nothing for industry, particularly in regional Victoria, where it will not be able to find the skilled workforce it needs for the future. The letter might make Peter Hall feel better, but it is doing nothing for Victorians who matter. In relation to this, the minister is not the one who matters.

How dare he parade around this state pretending and saying — and I quote — 'I wear my heart on my sleeve'. Bully for him! He says, 'I wear my heart on my sleeve, and I am a champion of TAFE'. If Peter Hall is the champion of TAFE, I would hate to see a minister who is incompetent, who is disinterested and who has spectacularly failed to win the argument around the expenditure review committee table. If this bloke is a champion, then TAFE, TAFE staff, TAFE students and Victorians do not need a champion like him. Letters might make Peter Hall feel good, but they do nothing for the people who matter — those who are going to feel, and indeed already are feeling, the pain of these cutbacks.

Let us do a bit of a rollcall in terms of what these cutbacks actually mean. At Sunraysia TAFE 26 jobs are gone, there is a \$6.5 million cut and a whole range of different courses are gone; at Kangan Institute \$24 million has been cut, 150 jobs are gone and 52 courses are gone; at the GippsTAFE campuses, which are in real trouble, \$10 million has been cut and there are 32 job losses; at Bendigo TAFE \$9 million — or \$1 in \$4 — is gone and 120 jobs are gone; at NMIT there is a \$25 million cut and more than 100 jobs are going; at Chisholm Institute \$25.5 million — or a third of its government budget — is gone and 150 jobs are on the line; at RMIT there is a \$20 million cut and 150 jobs are gone; at South West TAFE \$7 million has been cut and at least 43 jobs, or 10 per cent of its workforce, are gone; at Victoria University there has been \$32 million in cutbacks and 50 jobs are gone; and at Advance TAFE there has been a \$5 million cutback and 32 jobs are gone. The list goes on and on.

If the Premier had taken the time to listen to Jon Faine this morning — and this goes directly to the very helpful interjection of the very helpful member for Prahran; I could just hear that weak little squeak come across the chamber, though I am delighted it did — he

would have heard a series of TAFE directors making a range of comments that made things very clear about the types of courses they are having to cut, including animal studies, boatbuilding, the only course of which in Victoria is now gone, and events and tourism. TAFEs are also having to consolidate other study areas in relation to hospitality, tourism, retail, multimedia, visual arts, interior design, retail pharmacy, community pharmacy and professional writing. Again, hospitality, retail and tourism courses are affected, and a whole range of other courses are also affected, including sport and recreation courses, many of which are delivered as VET (vocational education and training) in schools. We do not know, and no-one can say, what the impact on schools and their budgets will be once these savage TAFE cutbacks are felt by VET students. Retail and business courses are also affected. The list goes on and on.

These courses are directly linked to employment outcomes, they are directly linked to job opportunities and jobs for young Victorians and they are directly linked to skills shortages and demand in local communities, local economies and the broader Victorian economy. For the member for Prahran and his colleagues to say, as they did in this house just a little while ago —

Mr Newton-Brown interjected.

Mr ANDREWS — The member for Prahran will need to speak up; we are having trouble hearing him.

Mr Newton-Brown interjected.

Mr ANDREWS — It is a very big vessel. I can see the head, but I cannot hear the voice.

The SPEAKER — Order! I do not want to kick out the member for Prahran.

Mr ANDREWS — We all know why he left the bar, Speaker; we all know.

The other day the member for Caulfield decided he would give us a lecture about how these cuts were necessary because they were all about a whole range of courses that just did not matter. That may well be the view of the member for Caulfield. He stated in this house on 6 June:

It is very easy to just open up the cash tin and say, 'Here we go. Let's create as many courses and opportunities as we can but not have any that are demand driven. Let's just create some more aromatherapy courses and some more beauty courses'.

That is what the member for Caulfield and no doubt the member for Prahran think these cutbacks are about. That is not what TAFE directors say, and that is not what those in the sector are saying. These cutbacks are hurting the courses that matter most — courses that give young people the best chance to get a job, to be productive and to be part of a stronger and fairer Victoria. It is about them realising their life opportunities. The notion of government members criticising these courses as mickey mouse courses says more about them than it does about anything that is run at TAFE. They should be ashamed; they should be absolutely ashamed.

We know that courses will go, jobs have already gone, opportunities for young Victorians will be significantly limited and those in country areas will feel this more than most. We stand opposed to these TAFE cuts. They are deep and they are hurting real Victorians. I know the Premier does not want to talk about things. We have seen in the *Herald Sun* today that he does not want to talk about the fact that there is big, deep speculation, lots of speculation, in his own ranks about his style and the fact that he really only has two answers to any question: 'Do nothing' or 'Get it completely wrong'. He might not want to talk about that, but if he took the time to get out and talk to some people in TAFEs, he would understand that these cutbacks are savage and are hurting real Victorians.

That leads me to the second part of the matter of public importance today — which will be picked up by other speakers, I am sure — and that is the fact that this government and Premier just cannot get it right when it comes to the public sector. I remember Josephine Cafagna putting a question to the Premier on election eve:

JOSEPHINE CAFAGNA: So will you be cutting the public service?

TED BAILLIEU: No way, and we've made that very clear.

Then there was a question from respected ABC journalist Tony Eastley, who said:

... you are saying that there will be reductions in the public service, but surely —

TED BAILLIEU: No, Tony.

TONY EASTLEY: No?

TED BAILLIEU: I'll stop you.

TONY EASTLEY: All right.

TED BAILLIEU: Absolutely no reduction in public servants. I am not going to cop this line from the Labor Party.

There have only been 4200 public sector workers affected — public servants who serve the public of Victoria, unlike the Premier. These are people who actually work for a living to help the most vulnerable, unlike the Premier. So we have seen the axe taken to TAFE and the axe taken to the public sector, all despite the hand-on-heart promises to Josie and others that this would not happen, and now 4200 jobs are gone.

There have been extraordinary efforts to keep secret the implementation of the so-called 'sustainable government initiative'. The government has spent who knows how much taxpayers money to keep those documents secret. What I say, and what I have always said, is that you cannot improve, let alone maintain, the services upon which families rely if you take 4200 hardworking public sector workers out of the Victorian public sector.

The Premier claims that he can protect front-line services, yet we see Department of Primary Industries offices closing, including fisheries offices, and all sorts of different front-line services being attacked by this government, not to mention the vital support that back-office staff provide for front-line workers. We stand opposed to these cutbacks. They are not what the Premier promised, and he ought to come clean and release the KPMG documentation on TAFEs and the Vertigan work in relation to the public sector.

This Premier stands condemned. There was an earthquake last night, but the reverberations around this bloke's leadership started a long time ago; his colleagues know it. He has got this wrong. Weakness is not leadership, cutbacks are not investment, and this Premier just is not up to it.

Mr DIXON (Minister for Education) — It is a pleasure to join the debate on the matter of public importance (MPI) this morning. This MPI talks about a sustained attack on Victorian working families. Yes, we have undergone that and the Victorian public has undergone that. Victorian families underwent that between 1999 and 2010. Over those years there was a sustained attack by the Australian Labor Party on Victorian families in many ways. Many of these issues were initiated back then and have led to the issues raised in today's MPI, which I will talk about.

Victorian families were subjected to a sustained attack for 11 years. One great example is the \$1.8 million a day that Victorians are now paying out for the desalination plant. The cost to Victorian families is incredible. It is \$400 per year for 27 years for every single Victorian family. That is a sustained attack on Victorian families. Then there is the myki blow-out and

anything to do with our public transport. That is just money down the drain — money that could have been spent on services to Victorian working families. All that money was wasted in yet another black hole created by the Labor Party and former government of this great state.

There was a \$1 billion blow-out on IT services throughout a range of portfolios. If those contracts had been handled properly and had had business cases, if they had been planned and regulated, there would be an extra \$1 billion worth of services for Victorian working families. Then there was the bungled pokies auction — \$3 billion was wasted by the previous government due to its incompetence. That is \$3 billion that could have been spent on services and infrastructure for Victorian working families, which missed out badly under the previous government.

In my own portfolio we inherited a \$300 million maintenance backlog, and that is a conservative estimate. That money could have come from the myki overspend or from the desalination plant. It could have come from any of the range of black holes. We could have had schools that were maintained during an era of great economic benefit right throughout this nation. But, no, the previous government blew it. Working families who sent their children to Victorian government schools expected them to be safe, and they did not get that.

We saw unsustainable spending right across the former government; spending outstripped income. The only way the previous government kept Victoria in the black was by the goose laying the golden eggs up there in Canberra, which just got the previous Victorian Labor government over the line. That goose has stopped laying those eggs, and now we are the ones that have to return the Victorian economy to a sustainable level.

Public service growth was double the rate of growth of the Victorian population. If you look at any other state or territory around Australia, no matter what its political affiliations are, the same issues are happening. In fact there are cuts at the federal government level. There have been 500 jobs lost at the Department of Education, Employment and Workplace Relations in Canberra, but apparently that is okay. If federal Labor cuts public service jobs, it is okay, and members on the other side are completely silent; but if a Victorian coalition government cuts jobs, it is the worst thing. It is absolute hypocrisy from those on the other side.

What we also see from the other side, in a real attack on Victorian working families, is weakness, with nobody standing up against the carbon tax and the effect it will

have on the everyday reality of Victorian families. Members of the opposition have been totally silent on this. They have rolled over and had their tummies tickled by Canberra; that is what they have done. They are Labor first and Victorians second. They did not stand up for Victorians as the Labor Gillard government ripped \$8 billion of GST revenue from Victoria with a redistribution of those funds in the forward estimates. They were totally silent on that. That is the sort of income that would have provided infrastructure and services to Victorian working families. They just do not get it.

Another unsustainable area left by the previous government is the training sector. The way that was mishandled and mismanaged by the previous government was absolutely incredible. As we know, Labor cannot manage money; that is a given. There could not be a better example than the training system this government inherited from the previous government. Here was a system that had absolutely no planning in it. It was a great idea at the time. There was lots of money around, so any idea was a great idea at the time. Absolutely no thought at all was put into it, and we are reaping the benefits of that. It was just a matter of throwing money at the problem. That was Labor's solution: to just throw more money at it. You just cannot keep doing that in the real world. This government is in the real world; the previous government was in some obscure world where it was all about money growing from trees and being distributed to all and sundry.

We inherited a training system that was totally uncapped. How can you have an uncapped system? We had a system that was totally unregulated; it was just an absolute free-for-all. That has been the Labor pattern. When I was the opposition spokesperson on training, one thing that struck me was the total lack of regulation and oversight of training in Victoria. It was of no interest to the previous ministers and the previous government. We are starting to reap the benefits of that absolute mismanagement. As I have pointed out, it was totally unsustainable. You cannot keep doing it.

In 2008, \$800 million was spent on training in Victoria. That is when the new system started. In 2011–12 the estimated cost to the Victorian taxpayer is \$1.3 billion, even though — and this just shows its distinct and abject lack of planning — the previous government forecast that for this current financial year the cost to the taxpayer would be \$900 million. The reality is that it is costing \$1.3 billion. The attitude of Labor governments is, 'Well, it's only \$400 million. We'll just keep dealing it out'. They just spend money and

waste money and have absolutely no concept at all of managing money.

What did we see? What was the reality on the ground with the training system? That is really, really important. For example, there were the dodgy providers. Dodgy providers, all sorts of weird and wonderful providers, were jumping up everywhere — because the system was uncapped and unregulated; it was a free-for-all. Of course dodgy providers were going to show their faces and rip money off Victorian working families, which is what they did, and the Victorian working families who pay taxes have to pay for that.

There were an incredible number of multiple enrolments with people enrolling in a whole range of courses. These were not the sorts of courses that people needed; they were just to make people happy, and people were enrolling in multiple courses. It is just unsustainable. You just cannot do that. Inducements were being offered by all sorts of dodgy providers — 'You enrol and we'll give you an iPad' and, 'You get two more friends in, and we'll give you a cut on your fees'. They would write to football clubs and say, 'Go and get a few more people and we'll give you a cut price', and, 'We'll give you a set of steak knives if you sign up to our course'. It was just incredible. Enrolments went up by 44 per cent. As I said, that is just not sustainable. A 44 per cent increase in enrolments does not reflect a training need in a state. It just showed that people were signing up to a multitude of courses and were offered those inducements. We had an uncapped, unregulated and unsustainable training system. That is what we had to tackle.

As I said, the number of providers rose from 561 to 758. It was just incredible; they came out of the woodwork. It reminded me of the situation with the pink batts when all of a sudden companies came out and said, 'Yes, we are a provider of pink batt services. We are very good, and we will spend the taxpayers money very, very well'. That is what we found. There was a 5000 per cent increase in diploma of management courses. There was a 1955 per cent increase in people doing courses to become fitness instructors. I know that in this state we have an issue with obesity and fitness, but we do not need an increase in fitness instructors of nearly 2000 per cent. There were even quite well-established training institutions with good reputations offering diplomas in eight days. How do you study for a diploma in eight days? That is the sort of unmitigated rubbish that was going on. It was unregulated, it was uncapped and it was unsustainable. That was the pattern right throughout Victoria.

Since the changes were announced we have seen some providers come out and say, 'Oh, we are going to go into deficit'. When you actually look at the books, you see that these providers were already in deficit, and it is just a convenient excuse to say, 'These cuts have caused that'. We have also seen a number of providers come out and say, 'Oh, we've cut courses'. But when you actually look at the courses that have been cut you see that either no participants or just a handful of participants were enrolled in those courses. But of course this is our fault. That is just incredible. There are people who have been totally disingenuous about this and are using it as an excuse. We have seen the opposition and the AEU (Australian Education Union) just riding on the coat-tails of this. They have encouraged these sorts of statements, which do not at all reflect the reality of the situation.

If you look at the current EBA (enterprise bargaining agreement) for the TAFE teachers you see that it is just incredible. It just shows how unregulated and what a free-for-all the training system has been — and we are the ones doing the hard yards about that. A full-time TAFE teacher is required to attend basically four days a week — 30 hours — which is not a bad gig if you can get it. Of those 30 hours they only have to teach for 20 hours. So for teaching and travelling their regulated hours are capped at 20 hours a week. It is not a bad gig if you can get it. How can you sustain a system —

Mr Merlino interjected.

Honourable members interjecting.

Mr DIXON — Yes, they are very busy, as the Deputy Leader of the Opposition says — 20 hours. It is not even 20 hours of lectures; this is 20 hours of travel and lectures out of a 38-hour week. As I said, it is a good gig if you can get it. That is the sort of stuff we need to be looking at. We need to be looking at productivity — the four-letter word of the Labor Party; it does not want to talk about it. We have to look at productivity, that is the reality of the world, because the goose in Canberra has stopped laying those golden eggs.

An issue came up about one course, the Auslan course offered by Kangan Institute of TAFE. It is well documented that Kangan has been trying to bail out of offering Auslan since 2010; this is not something that has just come about. In fact the subsidy for certificate III and certificate IV in Auslan has increased. This government can hardly be blamed for that.

This is a great opportunity for TAFEs. We have a strong TAFE system. They can offer great, innovative

course delivery and they can increase the cooperation between all providers — whether they be private or whether they be universities or other TAFEs. There is a great opportunity here for collaboration and there is a great opportunity here for better use of their infrastructure, and there is also a great opportunity to build on the TAFE brand. We have a great system of private providers, we are a national leader in that, and tremendous group training providers and organisations right throughout Victoria. We have a solid base on which we can build, and we will be doing that.

What are we doing here? We have put record levels of funding into TAFE and record levels of funding into training — an extra \$1 billion over the next four years. We are making the system sustainable. It has been uncapped, unregulated and unsustainable, and we are making it sustainable. It will be far more relevant to needs — to job needs, employment needs and the needs of Victorian industry. That is what a training system should be; it should be relevant. We are making it relevant, and we are making it sustainable.

We are increasing subsidies for complex training courses in areas where there are skills shortages and especially — most importantly — in the area of apprenticeships. There have been 220 courses offered through our training providers that have actually had increased subsidies, and 82 per cent of those 220 courses are being offered in our TAFE institutes. As I said, we inherited an uncapped, unregulated and totally unsustainable training regime from the previous government, and we are the ones who are putting it back on a sustainable footing.

Mr MERLINO (Monbulk) — I rise to speak on this matter of public importance (MPI) predominantly from the perspective of my responsibilities as the shadow Minister for Education. I want to focus on the devastating impact that the \$300 million cut to the TAFE sector will have on funding of school-based traineeships. We had a 15-minute contribution from the Minister for Education, and not once did he talk about school-based traineeships and the impact that his cuts are having on schools in Victoria in relation to subsidies for traineeships at schools in areas such as hospitality operations, business administration and retail. Those subsidies have decreased from \$9.50 per hour to \$1.50 per hour, and the result is that the cost of traineeships at schools will go from a few hundred dollars to several thousand dollars, which is completely out of the reach of kids at school.

A number of members are aware of atEAST, an organisation in the east of Melbourne. It is a consortium of nine government secondary schools in the eastern

suburbs: Croydon Community School, Doncaster Secondary College, East Doncaster Secondary College, Forest Hill College, Heathmont College, Monbulk College, Rowville Secondary College, Upwey High School and Yarra Hills Secondary College.

Mr Newton-Brown — On a point of order, Speaker, this is the opposition's MPI, and it refers specifically to TAFEs.

The SPEAKER — Order! What is the member for Prahran's point of order?

Mr Newton-Brown — I seek that the member be brought back to the subject of the MPI.

The SPEAKER — Order! I do not uphold the point of order, and I ask the member not to raise points of order like that again.

Mr MERLINO — That just displays the absolute ignorance of the member for Prahran. atEAST offers vocational education and training (VET) and school-based apprenticeships and traineeships as part of students' Victorian certificate of applied learning (VCAL) studies. For 15 years atEAST has been an outstanding success story, providing an alternative path to VCE. It is the single biggest provider of school-based traineeships in Victoria. Well over 90 per cent of these students go on to further training or full-time employment. It is a terrific partnership between schools, employers and young Victorians. VET, school-based traineeships and VCAL change lives. Were it not for these alternative pathways, thousands of young Victorians would be lost to our schools. They are an opportunity for students to make something of their lives. Without those pathways, they would be disengaged from education and they would leave.

School-based traineeships do not get any band funding. They are funded predominantly by individual schools as part of their student resource package. With atEAST, school-based traineeships are funded by the schools and participating students — for example, the business administration traineeship currently costs \$290 per student. The advice atEAST has received from its training provider is that a certificate II in business will now cost between \$2000 and \$3000, and a certificate III will cost \$4000. A two-year traineeship has gone from being less than \$600 per student to \$6000. Hospitality operations, currently \$187.50 plus around \$100 for materials per year, will now be up to \$2000 for certificate II and \$4000 for certificate III — that is, the course will go from a few hundred dollars to up to \$6000 for 16 and 17-year-olds in school. What

family can afford such a massive increase? atEAST proudly states on its website:

We believe that all students can succeed and that success will come in a variety of ways.

The Baillieu government begs to differ. This callous, uncaring and unthinking decision will confine thousands of young Victorians to the scrap heap. This is not an academic or bureaucratic exercise; we are talking about real people whose lives are severely impacted by this decision.

I refer to a *Herald Sun* article of 15 June with the headline 'Slug on school training — kids hit with \$6000 fee', which states:

Year 11 student Alicia Eastaugh is among those unsure of her future, with her training bill expected to hit \$3300 next year — up from less than \$300.

Alicia, 16, spends three days a week working in a cafe in Warrandyte as part of her formal training, as well as two days at school for her Victorian certificate of applied learning.

She eventually hopes to make a career out of hospitality management.

But mum Rosi ... a single mother of four, said the subsidy cuts put her daughter's on-the-job training in jeopardy.

'It's heartbreaking because this program has been great for Alicia — she's found something that she really loves and it's been great for her confidence ... But I'm a single mum and we just couldn't afford that. I don't know what we'll do.'

Current students who do not complete their course this year will be charged a new fee from 1 January next year. What does the minister say to Jaimee Russell, a year 11 VCAL student undertaking a certificate II traineeship in hospitality operations? What does the minister say to Karli Burnside, a year 11 VCAL student undertaking a certificate II in business administration? What does the minister say to their parents? Where are they going to find \$4000 so that their daughters can complete their year 12 studies next year?

Do members want to know what the response from the government is? Shop around. That is the formal advice that the department is sending to schools. Schools are shopping around, but the savage cuts in subsidies will mean that traineeships will be out of their reach no matter where they go. Any difference in costs will be minimal. Whether it is a TAFE or a private registered training organisation, the level of cuts is the same. The result will be a reduction in the number of students participating in school-based traineeships, a subsequent drop in school retention rates and students choosing an industry traineeship based on what they can afford for a career path they do not want.

I want to talk about Paige Marsh, as hers is a story that needs to be told in this debate. Paige overcame a difficult family environment. She successfully completed year 12 VCAL last year, undertaking a business administration traineeship with her employer, Yarra Ranges Shire Council. The training was delivered over two years and was composed of three days work a week at the council, with training delivered on the job, and two days a week at Heathmont College. She is now employed full time as a business support officer, local laws. Her success is an inspiration. She is such a great success that this year she was awarded the VCAL school-based apprentice/trainee of the year. For the benefit of Hansard, I am holding a photo of Paige Marsh with the Minister for Education. They are both beaming in the photo, as Paige should have been.

I spoke to Paige personally yesterday, and I will put what she said on the record. She said, 'I don't know where I would be' if it were not for the traineeship. Speaking about the massive increase in cost, she said, 'I would never have been able to do VCAL'. She said the traineeship 'changed my life completely', and, 'I really wasn't going anywhere. I hated school. School wasn't for me'. She said that without the traineeship, 'I would probably be nowhere — expelled at age 17'. The minister should particularly reflect on this comment by Paige: she said the decision to hack into TAFE and increase the cost of traineeships 'contradict what he said at the awards'.

The Baillieu government has been having a lot of trouble with the truth recently. The minister was at the awards, and he would have been congratulating the students, thanking the employers and speaking of the importance of VCAL and training. These would have been empty, false words. When he presented Paige with her award, he knew the damage his government was about to inflict. The very person he was presenting the award to would not have been there if these changes had been implemented 12 months earlier; she would not have finished year 12.

This is a disgrace. School communities demand to know why school-based traineeships were not exempted from the unprecedented attack on TAFE. They want to know why the Baillieu government did not give students and their families the same protection that the federal government gave employers regarding incentives for certificate II. Those incentives go only to employers for school-based traineeships, and the same protection is not offered to schoolchildren and their families in Victoria. Alicia, Jaimee, Karli, Paige and the thousands of other young students participating in school-based traineeships deserve better than a

government that thinks that their futures are not important and not worth fighting for.

Mr ANGUS (Forest Hill) — It is a great pleasure to rise to speak on this matter of public importance (MPI) and in particular to rebut it. At the outset, I note that item 1 and item 2 of the matter of public importance are completely wrong. The Leader of the Opposition has used a lot of emotional language and included factually incorrect items in his MPI — an axe has not been taken to TAFE and public service jobs have not been slashed. In my contribution to the debate I wish to set the record straight for the benefit of the opposition and the people of Victoria. I will do that by dividing my contribution into three parts. I will look at the background and financial context, the coalition's sustainable government initiatives as contained in the recent state budget and the financial legacy of the previous government. It is important to take a holistic view when we are dealing with matters of public importance such as the one raised by the other side.

In terms of the overall context, I note that Victoria is not immune from but has been affected by significant global and national factors, including the financial uncertainty and challenges in Europe, the overall slowing in world growth and the consequences of these matters for the Victorian economy. In addition, there is also the loss of \$6.1 billion in GST revenue over the four years from 2012–13. That is partly due to the slower growth in consumption and partly due to the reduction in Victoria's share of the GST under the commonwealth's flawed model. I note in passing that we do not hear any complaints about the federal Labor government's model from members on the other side.

Over the decade to 2010–11, which was under Labor, it is clearly documented that expenditure growth averaged 7.3 per cent per annum while revenue growth averaged 6.9 per cent per annum. You do not have to be a financial genius to work out that that is an unsustainable trend. I have spoken about that in this place before. If members turn to the 2012–13 budget overview — and I encourage all members to study that document with great interest — they will see that page 4 shows the growth in expenditure in a graphical form.

It is a stark reality check for all Victorian residents and taxpayers as to what was happening over the previous 10 years and what would have happened if the coalition had not stepped in and made the necessary changes. If the previous trend had continued, there would have been an operating deficit in the vicinity of \$4 billion in 2012–13. There is no doubt that action had to be taken to address the many areas of unsustainable financial

management. The 2012–13 budget overview contains numerous charts and graphs which show the trajectory the state was on and where we would have ended up financially had clear action not been taken by the coalition government.

I turn to the specifics of the sustainable government initiatives that have been undertaken by the incoming coalition government. We are facing challenging times, as I said, and we have to make difficult decisions, but thankfully we have made the right decisions. Fundamentally there are underpinning factors that we have relied on and have been consistent about — for example, the promised budget surplus. That minimum \$100 million budget surplus across the forward estimates is a cornerstone of the financial management of the state, and that will be achieved. Another non-negotiable commitment was retaining Victoria's AAA credit rating. That AAA rating was confirmed on budget day. I note, as I did in my budget contribution last sitting week, that the last time Victoria's AAA credit rating was lost it was lost by a Labor government.

The sustainable government initiative is about strengthening Victoria's financial position, and that underpins everything else and ensures that services for the community can be sustained and Victoria's economic future secured despite the fact that we are facing many challenges and we are living in an uncertain world. It is also about building budget capacity for future productive infrastructure investment and restoring that —

Ms Thomson — On a point of order, Deputy Speaker, this matter is quite specific, and while we have allowed some latitude, this sounds more like a broadbased budget reply speech than a reference to the actual matter before the house. I would ask that you draw the member back to that matter.

The DEPUTY SPEAKER — Order! I have been listening to the debate. The matters being raised by the member do seem to relate to paragraph (2) of the matter of public importance. I ask the member for Forest Hill to continue.

Mr ANGUS — It certainly is about all things to do with the budget. The second point there about 'cutting and slashing public service jobs' is clearly false, and that is what I am getting on to now. Fundamentally we have got to set the scene, and that is something the other side does not seem to be able to come to grips with. We have got to set the scene financially and have that cornerstone that we can build on financially, or else everything else will ultimately crumble. That is a

revelation that needs to be understood by those opposite. We have to restore that financial buffer, and that will enable us to withstand the financial onslaughts that will come from other jurisdictions and from around the world.

As I mentioned before, growth in spending outstripped growth in revenue, which resulted in public debt to fund capital works and so on, so the government has taken steps to reverse the rising costs associated with the rapid growth in staff numbers, particularly, as I said, in relation to the back-office functions of the Victorian public service. These savings had to be found, because you cannot keep spending more than you are earning. Every individual in Victoria most likely would know that. Householders certainly know it as they try to balance their family budgets. We have had, as I said, write-downs in GST, and we have had decreases in state taxes and particularly in the land transfer duty. So we have had to offer voluntary redundancies for 3600 positions across the Victorian public service initially and then in the budget this year announce a further 600 public service job reductions.

An honourable member interjected.

Mr ANGUS — Voluntary — that is exactly right.

If we look at what actually happened under the previous irresponsible Labor government, the Victorian public service grew at 5.3 per cent per annum on average over the period from 2006 to 2010, and in the same period the population grew by 2 per cent per annum on average, so the rate that Labor fattened up the public service over that period of time was more than double that of the population increase. The independent review of state finances found that this situation was simply unsustainable, so we have had to bring the Victorian public service levels back to levels more in line with the 2007–08 figures. As other members have noted and I have noted in passing, these cutbacks will be achieved through natural attrition, recruitment freeze for non-exempt positions, the lapsing of some fixed-term positions and voluntary redundancy packages. That is a very important way to approach that.

I should note that one of the key aspects of all this is that front-line services will not be impacted. In fact you can see that very clearly through the policies we have announced both in this term of government and prior to that in relation to a number of areas. For example, in the area of law and order we have announced increases in front-line police of 1700 police and 940 PSOs. That is just one example of front-line services that are being improved and enhanced to deal with the problems that we faced coming into government. This will enable us

to roll out our policies and be financially responsible despite these very challenging times.

In relation to the TAFEs I note that since 2008 the difference between what has been budgeted by Labor and what has actually been spent is around \$1 billion. Labor predicted that training subsidies in 2011–12 alone would be \$900 million, whereas the actual cost will be more than \$1300 million. That is a 44 per cent blow-out in expenditure in just one year. That is unbelievable. We were left with no choice but to act, and act decisively and clearly. I note that in today's *Australian Financial Review* at page 10 the new Premier of Queensland is quoted as having said yesterday that there were 20 000 more full-time jobs in the public service than the state could afford. So there will be some serious cutting up there in Queensland.

I have talked before in this place about the financial legacy of the previous government, and I have not got time to go into that again, but in conclusion I will say in relation to this matter of public importance that it just shows how deluded and out of touch those opposite are. Without strong and responsible economic management Victoria would soon be back in a parlous financial state — —

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

Mr HERBERT (Eltham) — It is a pleasure to speak on this matter of public importance. Before I get into the substance of what I want to say I just want to respond briefly to what the Minister for Education said. I want to respond to the appalling speech by the Minister for Education. The misleading diatribe and erroneous spin that we heard from the minister would be a disgrace from any member of this Parliament, but certainly it is from the Minister for Education. We ought to put a few of the facts on the table. He said those opposite had to make these cuts because of a blow-out in TAFE numbers. That is not true. TAFE has been growing at a very steady rate of 4 per cent. He is deliberately confusing the growth in training with the growth in TAFE, which is suffering the majority of these cuts. Let us be a little bit clearer than that.

For 18 months the government did absolutely nothing while it saw the cost of some of these courses blow out and saw large numbers of private providers, including some of the more dodgy ones, coming from the international student market into the government-funded training sector. I am gobsmacked — I am absolutely shocked — that there would not have been an expenditure review committee submission about the growth in these courses. At any

stage in the 18-month period the government could have put a cap on the courses that were growing unsustainably, and it could have put higher registration requirements on government-funded training providers. It did nothing for 18 months, absolutely zip.

In fact, it did do one thing: it tore up the important memorandum of understanding (MOU) between the Department of Treasury and Finance and Skills Victoria that said categorically — forget the spin, government members say! — that the Department of Treasury and Finance would fund extra training provision over and above the budgeted amount if there were additional training and it would receive back from the department any unspent funds. That MOU was torn up, but there was not any other mechanism put in place to manage the budget. What a disgrace! Then members of the government came in here and said, 'Even though TAFE has not grown much, we are going to blame TAFEs, and we are going to slash and burn TAFE providers right across the country'. It is simply a load of rubbish. The minister knows it, and the government knows it.

This is not a matter of some idle thing; this is a matter that is impacting people right across Victoria. Government members have simply come in here and blamed everybody but themselves. They started off blaming aromatherapy courses, then they blamed retail courses, then they blamed fitness instructors, then they blamed the former government, the ALP and TAFE directors, and now it is TAFE teachers. We even heard the minister say it is all the fault of TAFE teachers. What a load of rubbish. Last night on the adjournment in the other place a member for South Eastern Metropolitan Region said she wanted to refer for investigation TAFE teachers who had spoken out. A TAFE teacher actually had the audacity to put forward a viewpoint to a council gathering! She wants the Minister for Higher Education and Skills to investigate that teacher. She has a file, I think she said. She is going to provide the minister with a file on a particular TAFE teacher. This is just an appalling approach from the government. Government members should own up to what they do, take a stand and at least argue their actions properly, not deceitfully and not with spin.

This is a very simple thing, and this is a sad day for TAFE in Victoria. What we are seeing here — and members opposite should know it — is happening right across the state. It is not happening in pockets. It is not happening only in the western suburbs, in the northern suburbs, in the eastern suburbs, in the south-eastern suburbs — in the marginal seats right across the backbench — and not only in all the country areas; it is happening in all areas right across Victoria, where

people are absolutely outraged by these TAFE funding cuts. All members here would have received some of the nearly 20 000 letters or emails expressing people's outrage that have been sent to MPs as part of the TAFE 4 All campaign. These people are outraged, and they are angry.

People are angry because they know what members opposite do not know, which is that TAFE is crucially important for young people. It is a ladder to success in a job for young people. It is a ladder to success for schoolkids wanting to get into a trade and it is a ladder to success if you are a retrenched worker in Geelong, Ballarat or any of the places where we are seeing changes in industry and you want to get a new occupation or a new job. To simply quash those people's dreams is a disgraceful action on the part of any person, and it is a particularly disgraceful action on the part of a government.

I make this absolutely clear — these TAFE funding cuts are impacting right across the community. They are having a devastating impact on TAFE students faced with course closures and massive fee rises. They are having a devastating impact on staff in small regional towns — the TAFE librarian, the student counsellor and the support staff. It is not just the teachers who will be unable to get another job in those small towns when they are sacked, when they are part of the 2000 TAFE staff who have been given the bullet. They will be gone, and their families will go from those small country towns too. Those country towns will suffer. It is a disgrace that the communities at Bairnsdale, at Mallacoota and at all the other places that are losing TAFE campuses that have been important social hubs for those communities are losing those small campus services. Those communities will be devastated by this action.

These funding cuts are devastating for students with a disability. We heard the Minister for Higher Education and Skills say, 'Oh, well, we will get the transition task force to look at it'. We know that every TAFE provider in this state subsidises courses for people with disabilities, and they subsidise them because they know that those students need smaller classes and more intensive training, and they know how important the opportunity is for those students. The funding stream for those providers to subsidise these programs has gone. This government has just snatched it away and thrown it down the gurgler. The cuts are devastating for schools that have a strong vocational program and where the TAFE providers are in partnership with them. It is devastating for local economies that require skilled workforces. They do not want to have to import

workers from Melbourne; they want to train their local workforce to ensure that their own economy grows.

The cuts are devastating for the international education business in this state. Recently we have heard the Premier banging on about the importance of his international trips. We have heard about his trip to China, how important it was and how valuable education is as an export industry for this state. Let me tell the Premier right now, right this very minute, and let me tell any TAFE teacher or senior TAFE executive who goes across to China, that if they go to the Chongqing province, where we are about to start two important twinning projects between Victorian TAFE institutes and Chinese institutes, the Chinese institutes will hear directly from the senior officials of the education commission of Chongqing that those projects are now in doubt because they are worried about the capacity of Victoria's TAFE institutes to undertake those projects.

If they go to Jiangsu province, which is a very important province for education in Victoria and its export industry, they will find that there are programs that will no longer get approval to recruit students in 2012 because authorities there are concerned about the cuts to TAFE institutes in this state. If they speak to any of the agents who provide students and work with Chinese education officials and people to bring students here as part of our international education business, what they will hear is that those agents are not referring students to Victorian TAFE institutes because they are concerned about the viability of TAFE in this state. This is how significant these cuts are. The situation is bad enough domestically, and it is bad enough that the cuts are hitting local industries, but they are also impacting on one of the largest export industries Victoria has, which is education. We have not heard anything from the minister about that fact.

From the government's point of view it would seem that, as the Premier said in his party room, those opposite are just one happy team. They are not one happy team. We know that every member of The Nationals is concerned about what is happening in their electorate, but they will not speak out. They are afraid. They have been gagged.

Ms Ryall — On a point of order, Deputy Speaker, the member has completely strayed off the matter of public importance (MPI) into extraneous areas and into some foreign land. I ask you to draw him back to the MPI.

The DEPUTY SPEAKER — Order! There has been a very wide-ranging debate. The MPI itself covers a wide area, so I do not uphold the point of order.

Mr HERBERT — It was a spurious point of order designed to burn up time. In fact I put it to the house that members on this side of the house understand the importance of these TAFE funding cuts and the devastating effect they will have. We take the view that members opposite simply say, ‘Such is life’. Students miss out on training, TAFE institutes close campuses, courses get slashed, staff get sacked and members opposite say, ‘Such is life’. It is not a case of such is life; it is a deliberate policy of this government that is slashing 2000 jobs from TAFE institutes and scrapping \$300 million in vital funding for community services. It is a policy that is causing large metropolitan TAFE institutes to lose in excess of \$35 million — that is, 30 per cent of business. Many country TAFE institutes are losing over \$10 million.

There is outrage in the electorate of the Minister for Higher Education and Skills. The minister can hardly turn up in his own electorate. It does not matter whether you are in business and industry, whether you are a member of local government, whether you are a TAFE or a school; everybody thinks this minister and this government are on the nose. What a shame for the minister, because I know that he came into the job with a lot of hope. He is a person who had a lot of hope for what he could contribute to education, and his legacy will be the legacy of this government. In one term the legacy of this one-term government will be to devastate TAFE, devastate training, devastate the hopes and opportunities of people right across Victoria and particularly devastate those opportunities for people in regional Victoria.

Mr NEWTON-BROWN (Prahran) — Education is a fundamental tool for individuals to lead productive and fulfilling lives. In general terms, the better educated you are, the better your prospects are for attaining meaningful work in our community. It is those with poor education who are most likely to fall through the cracks. If you are a person who is homeless or living on welfare in the long term, there is a high likelihood you are a person who has not received education beyond high school. This is why the Baillieu Liberal coalition government is so committed to education.

The Leader of the Opposition seemed to suggest in his contribution that this government is not interested in growing or investing in the state and its education. Well, hello! Did he not notice the May state budget, when the coalition committed an additional \$1 billion to training over the next four-year period? The coalition

government will spend around \$1.2 billion each and every year on training subsidies. The premise of the MPI (matter of public importance) in relation to TAFEs seems to suggest that the current funding for all courses is appropriate and that there should be no changes to the way in which our scarce resources in this state are allocated.

Before I address that, let us first examine where we are with TAFE funding and how we got there. In 2008 the then Victorian Labor government changed from paying training providers a fixed amount for courses to a system where eligible students were able to enrol in any training program, and the training would be paid for by government. I am not sure what the Labor government was thinking at the time, but it did not cap the funding and it has grown exponentially ever since. The new system had a staged introduction which commenced in July 2009, and full implementation occurred in January 2011.

Over that period government-funded training enrolments grew from 381 000 in 2008 to 549 000 in 2011. This was a 44 per cent increase, and the bulk of that growth — 29 per cent — occurred in 2011 alone. In just three years the cost of training had blown out incredibly from a budgeted \$800 million in 2009 to \$1.3 billion by 2011–12. Did Labor expect this to happen? The forecast was for \$800 million, but the actual expenditure created a black hole of about \$400 to \$500 million. At the same time there was an explosion in training providers, with numbers growing from 561 to 758. Under Labor’s arrangements the system was vulnerable to overservicing and corner-cutting by providers in their quest for the unlimited bucket of money the Labor government provided for this sector.

Can we assume from the underlying premise of the MPI that Labor members would be happy for this exponential growth to continue? Was that their plan when they budgeted for just \$800 to \$900 million — that that would be it? If the Labor members were in government, would they cap it now that it has grown out to \$1.2 billion?

Honourable members interjecting.

Mr NEWTON-BROWN — I put this question as an interjection to the Leader of the Opposition on several occasions. I sang out to him, ‘What would you do if you were Premier? Would you cap it?’, but he did not take up my invitation to answer that question, and not once in his contribution of 15 minutes did he give any indication to this Parliament or to the people of Victoria as to what he would do if he were Premier. The premise of the MPI suggests that Labor would do

nothing with these rising costs other than to keep putting them on the tab. The premise of the MPI suggests that Labor has not learnt from its mistakes of the past or its mismanagement of the state's finances.

Under the plan announced in May the Liberal coalition government will increase hourly subsidies for training in areas where there are skills shortages in Victoria. Every apprenticeship course will receive increased funding, and at the same time there will be lower subsidies paid to some courses where there has been a disproportionate increase in enrolment, such as fitness training, customer contact and management, and courses where there is a comparatively lower return to the Victorian economy. The Leader of the Opposition seems to place no greater value on one course above another. I have stated that it is a cruel hoax on kids to encourage them to train in areas where there is low or no job demand.

The MPI suggests that there has been a sustained attack on working families. Let us look at what a hollow claim this is in light of the financial record of the previous Labor government. Water charges have been in the media recently, and there have been issues around the timing of the Melbourne Water charges in relation to the construction of the desalination plant. Let us not forget that those charges are only there because of the decision of the member for Lyndhurst, the former Minister for Water. These charges will add 30 per cent to everybody's bill for almost 30 years. How will working families cope with this impost on their family budgets? How many of these working families that the opposition are so concerned about will feel duded by Labor and the decisions it made when it was in control of the state?

The member for Lyndhurst often wags his finger at us and says, 'You wait until it stops raining and we get a drought again. Then you'll be thanking me.' No doubt if that day comes he will think that all his Christmases have come at once, but on the current figures, even if it were not to rain again, it would probably be towards the end of this decade that we would need to flick the switch on the desalination plant, such is the capacity of our water storages at the moment.

I hope that when the bills go out for people's water consumption the Minister for Water will be able to somehow include on those water bills a separate line for Tim's Tax — the bill for the desalination plant — which says that 30 per cent of the bill which every Victorian family is paying is a result of the decisions made by the former Labor government.

The Minister for Higher Education and Skills is interested in quality and choice in vocational training. He is developing a website to ensure that customers get information before they attend the training courses so that they can make appropriate choices. He is looking at course profiles to ensure that the skills that industry need are being met. He is looking at sustainable employment conditions to make sure that if people are being paid to work a 38-hour week, they actually work a 38-hour week.

The MPI refers to the axing of TAFEs, yet the 2012–13 budget provides a record four-year investment in training in Victoria. There has been no other four-year period in Victoria where so much money has been invested in training in this state. Beyond the base figure of an extra \$1 billion in training to be added over four years, in this year alone we are spending \$1.2 billion on training subsidies. The suggestion that there have been cuts to or an axing of the TAFE sector is quite simply a lie. And as far as regional towns go, we are totally committed to investing in our regions.

The Victorian public should look behind this shrill MPI today and see it for what it is: an attempt to dishonestly portray the Victorian government as having no interest in TAFE education and a sad indictment of the Labor opposition in this state. I am sure that the Victorian public wants a strong opposition to hold us to account, but an MPI such as this does not inflict any damage on the government because it is based on fundamental untruths.

In the absence of the Leader of the Opposition stating what he would do about the TAFE blow-outs, this MPI can really only be seen for what it is: a cynical political stunt. A statement by the Minister for Higher Education and Skills was reported in *Hansard* of 23 May, and I will conclude by reading out his commitment to the TAFE sector:

I give the undertaking — and I have given it in person to TAFE institutes around the state — that I am totally committed to working with TAFEs to enable them to realise the significant advantages they have and to ensure that they have a strong future that continues to grow in this state ... I am not interested in playing politics; I am interested in working with our public providers to ensure that they realise their full potential. That is my vision for a training system in this state of Victoria.

Ms THOMSON (Footscray) — I have to say that what is going on here is a hoax by the state government in relation to TAFEs and in relation to public sector cuts. I rise to support the matter of public importance in the chamber today, and I do so because I think we need to have a look at the broad context we are facing globally — in Australia and worldwide. There is no

doubt that we are in economies in transition, and nowhere is that felt more deeply in Australia than here in Victoria, with our strong manufacturing base, our service-based industries and an agricultural sector with challenges it has to meet. And here we are looking at courses provided by TAFEs across this state that will no longer be provided because of this government's cruel hoax on the people of Victoria.

The reason this is such a cruel hoax is that these cuts are not about TAFE, they are not about training courses and they are not about preparing us for the economy that we are going to have to face and the jobs we are going to have to create; that is not what these cuts are about. If these cuts were about those things, the government would have sat down with the sector over the last 12 months, it would have consulted with the sector and with industry in an open forum, and it would have had a summit around the challenges we face in meeting the job needs of the future, in making sure that we are preparing our citizens to meet those job needs and in giving them the opportunities to help develop the new economy that we have to move into. Did that happen? Did I miss some big summit on jobs? Did I miss some big consultation process where the training sector, business, trade unions and schools were brought in? Did I miss that? Was I out of the state? Did anyone else miss it? It did not happen — that is the hoax. Be under no illusions: this has nothing to do with providing a proper training system for Victorians to train and be prepared for the jobs of the future. This has nothing to do with that.

There has been no concern whatsoever about the impact of these cuts on country Victoria — none — and the impact is going to be huge and messy. You cannot tell me that in country Victoria, where tourism is so important, there is no demand for well-trained people in the hospitality industry, in the tourism industry and in a retail sector that is screaming for the government to deal with the issue of online retail. Of course there is; there has to be. Is the main need adequate training? I do not know, but you have to engage with the sector to find out — and we certainly have not done that. What we have had is a secret report by KPMG, apparently about the impacts of these cuts. We have had nothing about the ways we should be training our people for the future — none of that.

This is a straight, out-and-out budget cut to meet the government's needs and priorities so it can do things like run over budget by \$200 million on PSOs and build a new prison in the west. It was Victor Hugo who said, 'He who opens a school door, closes a prison'. Well, that shows you what the priorities of this government are: 'Let us build a prison and close the school doors'.

That is what government members are doing. If we have a look at our economy and the effects it has, we see that youth unemployment in Victoria is at 20.6 per cent — the highest in Australia. In my electorate of Footscray unemployment is at 8.26 per cent compared to the rest of Victoria, which is at 5.8 per cent. But what is this government's solution for that? Is it to create more opportunity? No, it is to build a prison. That is what the government is going to do: it is going to build a prison.

That is not good enough. It is not good enough for the people in this state, and it is not good enough for our young people. You have to provide them with a future that is meaningful. The government is not doing that; it is creating a new underclass. It is developing a society of the haves and have-nots that has not been seen in this state for many, many years. That is a true indictment of those opposite and their government.

John F. Kennedy said:

Let us think of education as the means of developing our greatest abilities, because in each of us there is a private hope and dream which, fulfilled, can be translated into benefit for everyone and greater strength for our nation.

That is true of Victoria, but if you have a look at the impact of these cuts, you see that for those dreams, those opportunities that individuals are looking for — and this is about those people and their aspirations — there is no comfort here.

We have heard that the Gordon Institute of TAFE is to lose about \$15 million. The staff cuts are unknown. The institute's chief executive officer, Mr Sutherland, is reported in the *Geelong Advertiser* as having said:

The Gordon has a lead role in Geelong's economy in transition.

Is this the way to treat an institute that is trying to deal with an economy that is in transition — a community that was hoaxed into believing that the port of Geelong was going to be the car transport centre for Victoria and Australia? Another hoax! There are job losses in Geelong all the time because of the manufacturing sector going down and the high Australian dollar. Where is the plan to make sure we are providing the jobs that Geelong needs in the future and the trained people to fill them? It is not there.

As we have heard, the University of Ballarat is looking at losing up to 100 staff and \$20 million from its budget. On the university's website it says:

In summary, the projected net funding impact on the university from the state budget announcements is approximately \$20 million, or put differently, the university

has to reduce its total TAFE activity by around 30 to 40 per cent by the beginning of 2013 ...

This has given the university a lot of time to plan, hasn't it? The website continues:

... and reduce services and costs elsewhere in the university, or otherwise begin to carry a major loss of up to \$20 million by the end of 2013. Normally in these circumstances, governments allow transition arrangements for institutions to cope with these types of funding circumstances, but there is no period of adjustment or grace factored into the state budget announcements.

Then there is Victoria University, which is to lose \$32 million. It has already lost 50 teaching staff as a result of the budget, and that may not be the end of it. There are 30 to 40 courses currently offered that will go, and there is the potential for even more to go. Then, as we have heard from the shadow Minister for Education, there is the impact on VET (vocational education and training) in schools. That is huge, and it will affect retention rates in our schools — make no mistake.

We have a situation whereby the government's actions have had an immediate impact. Private providers will adapt and access the opportunities that those actions have created, but we are getting feedback that even responsible private providers are concerned about the haste with which these measures were introduced. They are also concerned, as are the TAFEs and the regulators, that they will not be in a position to regulate the way the private industry and private providers adapt to these changes and whether or not they will provide the quality education that TAFEs have provided for years.

It is an indictment of this government that it thinks that with just the slash of a pen it can destroy the dreams and opportunities of a generation of young people. This is a government shrouded in secrecy. It would not release the report, but it will have to now because Fair Work Australia will insist upon it. The Vertigan report has not been released, and the KPMG report has not been released. This is a government that is in budget crisis. It is its budget crisis, and the young people of Victoria should not have to pay for it.

Ms RYALL (Mitcham) — It is with pleasure that I rise to speak on this matter of public importance. The esteemed editor-at-large of the *Australian*, Paul Kelly, said on 2 June 2012 that:

... Labor is trapped between the needs of good policy and its compulsion for cheap politics.

Exactly the same situation applies with members of the Labor opposition in the Victorian Parliament. They are

bereft of any policy and unable to say what they would have done to rein in their blow-out on vocational education and training. It is cheap politics. They know that the system as it was set up was unsustainable, yet they show outrage at any attempt to deal with it.

Mr McGuire — On a point of order, Deputy Speaker, that quote was not directed at Victorian Labor, and it should not be referred to — —

The DEPUTY SPEAKER — Order! That is not a point of order.

Ms RYALL — The fact that the opposition failed to monitor, measure or deal with the blow-out created by its policy is classic Labor, and this MPI is classic Labor.

Labor members talk about a sustained attack on working families. The sustained attack on working families was the shameless and complete lack of financial management — the squandering of billions of dollars by the former Labor government. Do not think that waste has no legacy! Do not think for a moment that incompetence has no child! Think about cause and effect. When we think about the cause related to why spending needed to be reined in, we look at the squandered billions. We look at the money wasted that could have been preserved for difficult economic times, for times when the Australian dollar was high, for times when global economic uncertainty impacted on this nation and for times when there was a need to ensure that every available dollar of taxpayers money was targeted towards the services that need to be delivered in Victoria.

When we look at cause — and we are looking at the budget from a cause perspective, we are looking at reining in spending and we are looking at budget blow-outs from the past — I note that the Leader of the Opposition did not even contribute to the debate on the appropriation bill. We had an extended sitting, and yet he said not a word. The former Leader of the Opposition, now Premier, in every year we were in opposition made a contribution as leader to the debate on the appropriation bill.

The effect related to the cause is that we need to rein in spending, and we need to make sure every dollar is productive. Take the desalination plant as an example: when we look at the cause we see that it will cost \$1.8 million a day for 27 years. Those opposite talk about education. Imagine what \$1.8 million could buy in education, day in and day out for 27 years! We look at the \$1.4 billion squandered in ICT blow-outs, the client relationship information system and the gaming

machine licences under the stewardship of the former member for Mitcham — \$3000 million. It was the only social dividend from gambling, and those opposite gave it away. HealthSMART, the housing integrated information program, HR Assist, the integrated courts management system, the LINK police database, myki, the ultranet and the property and laboratory management system all had major blow-outs, which are typical of Labor and relate to the cause that creates the effect and the need to rein in spending.

On vocational education and training, the government has committed an additional \$1 billion of funding over four years. If we look at the history, we see that when Labor introduced the system it did not identify objectives or outcomes to measure and monitor performance, but just implemented it and let it rip. There were no controls in place to make sure it was sustainable. There were no controls on growth, no controls on quality and no controls on quantity — just like its federal Labor mates, who had no controls on pink batts or green schemes to prevent dodgy providers jumping in. It was typical Labor policy and typical Labor bad management. It did not matter to those opposite that the measurement controls were not in place, and it did not matter if it did not meet the objective. They just threw money at it. There was plenty of money around at the time, and if they were in need the federal government would come to their rescue.

What I think is a newsflash for members of the Labor opposition is that those times are over and we live in different economic times. Like their federal counterparts, opposition members spent so much time in unionised training centres or electorate offices as training centres that they do not understand objectives, do not understand targets and do not understand measurement.

The alarm bells should have been ringing for Labor members in the 2009–10 fiscal year and the 2010–11 fiscal year, when the actual spend for growth in training delivery was way higher than the original estimate. That is when the alarm bells should have gone off. In 2010–11 the estimate was \$824 million, yet the spend was heading toward \$1.1 billion. Labor members are out shouting loudly as usual and are refusing to acknowledge that they were the cause of the problem in the first place.

We hear much about the unsustainable situation from those opposite, but the question is — and I heard the member for Prahran ask this before: what would they do in this circumstance? What would they do in a situation when there is a significant blow-out, a lack of

control and no cap on the system? Would they continue to fully fund courses where the possibility of getting a job was as remote as it was in fitness training, where there were 800 positions for the 9000 people completing the courses? Would they fully fund those courses for students to find that more than 90 per cent of them could not get a job? What does that do to an individual's self-esteem? Should it just be opened up, with every course being available to everybody and should those courses be fully subsidised? In the absence of hearing any alternative, I think that is exactly what opposition members are saying.

Where do those opposite think the money comes from? How many traineeships would a daily desal payment pay for? There have been no calls from the Labor opposition members to the commonwealth, which is what their Premier John Brumby did. He called for the right share of GST. Members opposite do not understand that jobs are an outcome of a well-run economy and productivity. They talk about seeking jobs, but they have no actual understanding of what underpins jobs and creates jobs. We all know that the Leader of the Opposition thinks that some jobs are worth saving but others are not, so jobs lost because of the carbon tax are not worth saving!

I recall the Minister for Tourism and Major Events talking about the budget for domestic tourism and the key performance indicator (KPI) related to setting objectives and targets. She said the targets could not be reached by members of the Labor government, so what they did was remove the KPI. So if they cannot kick the ball between the posts or even get a behind, they just remove the goalposts and kick anywhere. That sums up Labor and shows exactly what creates the blow-outs. Labor members have no objectives and no targets. In fact they would not know how to set one.

Members opposite talk about public service cuts. It is really interesting that today we have not heard any of the speakers on this matter of public importance talk about the public service, and they are totally silent on the federal government's public service cuts.

An honourable member — Four thousand two hundred of them.

Ms RYALL — Four thousand two hundred of them. Some of them will be in Victoria, but we have not heard a word from those opposite on that, such is the hypocrisy of Labor opposition members. They say one thing about this government but they are absolutely fine about their colleagues in Canberra doing exactly the same thing.

It is time for opposition members to put up and answer the hard questions: why did they squander the funds that would be needed for difficult times, how would they rectify the situation that we have at the moment and what would they do? It is about time they put up rather than just arguing a case without any basis of cause and effect. They created the cause; they are now struggling to deal with the effect. I commend the MPI.

The DEPUTY SPEAKER — Order! The member for Kororoit.

Ms KAIROUZ (Kororoit) — You commend the MPI! That is very good.

Honourable members interjecting.

Ms Ryall — I do not commend the MPI.

Ms KAIROUZ — I follow the member for Mitcham in supporting the matter of public importance —

An honourable member — Commending the MPI.

Ms KAIROUZ — or commending the MPI (matter of public importance) submitted by the member for Mulgrave.

Members of this house should be at one in their condemnation of the Baillieu-Ryan coalition for its sustained attack on working families. Whilst there are many reasons for Victorians to be angry about this unholy alliance, I will contain my remarks to its savage cuts to education, particularly TAFEs, and the brutal cutting and slashing of public service jobs across the state with the hardest hit being those in the regions. It would be remiss of me, though, not to mention all the job shedding and the failure of this government to act decisively and create a job plan in this state. It is a failure which is leaving tens of thousands of workers without jobs and many thousands of families without a breadwinner.

The cuts to Victoria's TAFE institutions have been savage. Late in 2011 the Victorian government ripped millions out of TAFE budgets and, perhaps predictably, private providers were left largely untouched. As a result of the 2012 budget cuts, it appears that TAFEs will initially lose a further estimated \$160 million annually. This government's axe wielding has left many TAFEs scrambling, with campuses closing, courses disappearing and many hardworking and skilled Victorian TAFE teachers and administrative staff left on the employment scrap heap.

These cuts to Victoria's TAFE institutes will irreparably damage the TAFE sector in Victoria and the Victorian economy and community. They will also change forever the national vocational education and training system of training for a skilled workforce. As is often the case, it is the areas which can least afford this kind of news which will suffer most. I speak, of course, of rural and regional Victoria and the western suburbs of Melbourne.

Let us look at the projected outcomes for some of those TAFEs. According to the *Age* of 16 June, the effect on Shepparton of a \$300 million funding cut to TAFE institutes across Victoria remains unknown, with many still waiting to hear about potential impacts on jobs and courses. Just last month the University of Ballarat reported that its TAFE will lose \$20 million, which is a 40 per cent funding cut, up to 60 TAFE programs will be forced to close, and it is predicted that up to 100 jobs will be lost. The university's vice-chancellor, David Battersby, said that.

Earlier this week the Central Gippsland Institute of TAFE also revealed it had made 32 positions redundant, while Bendigo TAFE appears set to lose up to \$9 million and lay off about 120 staff. The terrible news continues, with South West TAFE reportedly set to lose \$11 million and cut 43 jobs. In yesterday's *Geelong Advertiser* it was announced that Geelong's Gordon institute will immediately be making 16 positions redundant, but there was a warning that more redundancies are expected later in the year, in preparation for when the funding cuts take effect at the start of 2013. These redundancies are described as 'voluntary', but this is an absolute contradiction as these jobs are needed and none of these dedicated educators would choose to be forced out of their jobs.

In the western suburbs of Melbourne, where the brunt of job losses in the manufacturing sector have been felt, options for retraining these workers have taken a hit because funding changes will severely impact on Victoria University (VU), the biggest education provider in the western suburbs. Victoria University will drop animal studies, boatbuilding and events and tourism courses. It will slash courses involving sports and fitness, hospitality, business and financial services, and 50 positions in the technical trades and workforce development faculties will go.

According to deputy vice-chancellor Professor Anne Jones, who admits to being surprised by the magnitude of the cuts, difficult decisions had to be made to ensure the ongoing viability of VU. According to community development teacher Margarita Windisch, as reported in a newspaper article, these job cuts and the loss of

courses were devastating for staff and students. The article states:

'This is the biggest attack we have seen in the sector in the history of Victoria', she said.

'It's quite clear their aim is to privatise the whole education sector'.

She said the cuts would lead to a drop in quality and lock out students from disadvantaged backgrounds.

These are the words of someone who should know.

In relation to courses which will no longer be delivered as a result of the decisions of the Baillieu-Ryan coalition, members should spare a thought for the deaf community in Victoria. In late May Kangan Institute announced that due to budget cuts the diploma of Auslan was no longer viable and would close in December 2012. The diploma is a full-time course that takes two years to complete, and it is the only one available in Australia. After completing this course many of its graduates can go on to undertake the Auslan interpreter course at RMIT or Macquarie University to become sign language interpreters for the deaf community.

The impact of a reduction in the number of Auslan interpreters in the community will be a cruel blow to the deaf community and will add to the isolation of this vulnerable group of Victorians. All those who lacked the spine to challenge the Premier and his Treasurer in relation to that outcome and these decisions should hang their heads in shame. The irony and utter folly of the decisions that have led to these outcomes are that the government appears to have gone after the wrong target and not the private registered training organisations, where cost blow-outs, which the government says have precipitated its mean-spirited actions, are really occurring.

Unless these cuts to TAFE are reversed, Victoria faces an uncertain future in the critical area of vocational education in relation to fragmented delivery, an unreliable and largely unregulated private for-profit sector and TAFE institutes not being funded to provide support and services across the community. It should be noted that the Victorian TAFE sector has been considered one of the flagships of the sector nationally and internationally. The decisions of this government will destroy that view forever.

The brunt of these cuts will be severely felt by Victorian TAFE students, who are already paying more than students in any other state. Fees will be increased due to these funding cuts — a fact which has been acknowledged by this government. Students will

simply not be able to access programs in a whole range of areas because the programs will not be offered or the students simply will not be able to afford them. The government says it is tailoring TAFE to industry needs, but regional communities, teachers and students say it is targeting the most vulnerable in the community.

It is just not TAFEs which are facing the chop or have faced the chop. The axe has been fairly sharpened and has come down on many public servants in the biggest mass sacking since Jeff Kennett became the Premier in the early 1990s. In the recent state budget, with an austerity plan that could rival those seen in Europe, the government announced it would shed a further 600 state public servants, which brings the total public sector job losses announced since December to 4200. In typical style the Treasurer has refused to rule out forced redundancies and further public sector cuts. The Treasurer has remained silent.

While government members bleat that there will be no effect on front-line services, I do not believe them. It will not be long before the Victorian public lets them know it does not believe them as well. This lazy government has shown a complete and utter lack of action on jobs while the state grinds to a halt.

This government has failed on jobs and on families in Victoria. Families in Victoria rely on the government for leadership and support when they are in need, but unfortunately we have a Premier and a Treasurer who are missing in action and a government that stands for nothing.

Mr BULL (Gippsland East) — I am pleased to make a contribution on the matter of public importance (MPI) as raised by the member for Mulgrave. This MPI makes allegations that relate to working families, and it is critical of public sector job cuts.

As previous speakers have well documented, this government has announced that there will be a reduction of 4200 public servants by the end of 2013 — that figure has been out there for a while — due to the write-downs in GST revenue and other state taxes. These are issues facing all jurisdictions across the length and breadth of Australia, so let us take a look at some of the other states and the measures they are taking in response to this.

In New South Wales there are reports of an additional 10 000 public service job cuts on top of the 5000 that have already announced — that is more than three times the number that has been announced in Victoria. In Queensland — people may have been interested to see this in today's media — 20 000 public service jobs

will go. When that is compared to Victoria, it can be seen that that is a significantly higher amount.

Let us have a look at some of the states in Australia governed by Labor. In Tasmania, which has a far smaller public sector base, there is a reduction of 2300 jobs; 10 per cent of the public service sector will go. Let us have a look at South Australia. In that state, which has a much smaller public sector base than Victoria, 5100 positions are to go, 4100 having been announced last year and another 1000 being announced this year. That is very significant. The Northern Territory has not got to the stage of equating its cuts with job losses, but the government has announced that \$300 million will be cut from public service funding. This \$300 million has not, as I said, been equated to job losses, but you can bet it too will constitute a significant number of such losses.

Let us have a look also at our federal government. After this year's budget the federal government announced that 4200 jobs would go, and there are reports that suggest significantly more are on the horizon. A number of the 4200 job losses the federal government has announced in the public sector will be in Victoria, so the criticism levelled at the state government should surely be levelled at the federal government, which is also making public sector job cuts within this great state.

When looking at Victoria the other thing we must take into consideration and which has not been given due consideration is that we have 1700 additional police coming on line. We have more than 900 protective services officers coming on to our train stations, over 300 ambulance services workers and paramedics —

Mr Northe interjected.

Mr BULL — We have more child protection workers coming in, as the member for Morwell quite rightly notes. These are all of great benefit to families, of great benefit to our children and of great benefit to our communities. Quite clearly governments in all jurisdictions across Australia are being faced with very difficult decisions; it is quite plain to see. They are making these decisions because in the current economic climate these decisions are right. You have to cut your cloth to suit your purse, as our Treasurer says, and our purse is greatly reduced at the present.

It is also worth stating how a lot of this came about. If we have a look back at the period between 2006 and 2010, we see that the Victorian population grew by a little over 2 per cent. You would imagine that the public sector would have grown by significantly less than the

state population grew, but while the population grew by 2 per cent, our public service grew by 5.3 per cent — in percentage terms that is more than two and a half times our population growth. It is amazing. In relation to these reductions, exemptions have been made for schools, hospitals and police — essential services for our families. We are restoring the public sector to a sustainable level, as existed in 2005–06.

We were meant to be in harsh economic times across the state, yet our public sector grew by 5.3 per cent. It beggars belief. Yes, there are some impacts, and they are definitely felt in certain areas, but this is a responsible response in the best interests of the people of this state. Like every other state in our great nation, Victoria is not immune to the factors affecting the global economy, which are out of our control. We have to act responsibly, and we have.

The other part of the matter of public importance relates to vocational training. Again we have a system designed and implemented by the previous government that did not work and was unsustainable. The system was implemented without any monitoring strategies to manage effectiveness and cost. The difference between what was budgeted for by Labor from 2008 and what was spent in training subsidies was just under \$1 billion. In 2011–12 alone Labor predicted subsidies for training would be \$900 million, but in reality the figure is \$1.3 billion. It poses the question: how can you get it so wrong? These were not only unsustainable blow-outs but were also not meeting training needs. Several courses had enrolment increases of between 2000 and 5000 per cent, and in some cases providers were offering debit cards, iPads and cash subsidies to sports clubs for every student they enrolled. It was a case of absolute roting. The new subsidy structure put in place supports apprenticeships and apprenticeship-related courses. It is a solid investment.

The matter of public importance also mentions impacts on families, so I would like to have a look at some of the impacts on families in my region. Firstly, there is \$3 million to rebuild the Toorloo Arm Primary School, one of the fastest growing schools in my electorate. That will have a great impact on families. There will be \$10 million to rebuild the Bairnsdale Secondary College, my electorate's biggest secondary school. There will be \$300 000 to extend the Glassford Street Kindergarten in Maffra —

Mr Weller interjected.

Mr BULL — As the member for Rodney points out, the Toorloo Arm Primary School funding was not a bipartisan commitment. The Bairnsdale Secondary

College waited 11 years for a commitment and got one only after we made it. There is \$166 000 to extend the Orbost preschool. I would have thought that was pretty important to local families. There is \$83 000 to extend the Swifts Creek kindergarten. We have funds for a school holiday respite program in Bairnsdale, which is very much welcomed by families. We have more police in our region. We have upgraded emergency vehicles in Toorloo Arm, Omeo, Coongulla and Maffra. They are all there to protect and look after families.

There is significant investment in sporting facilities, and I note the Minister for Sport and Recreation is at the table. There will be significant upgrades at Lakes Entrance, Bairnsdale, Lindenow and the Howitt Park recreation reserve for families to enjoy. We also have a recently introduced new transport system in the east of the state. This provides a great service to Orbost, Newmerella, Marlo, Nowa Nowa and many other communities. This means that for the very first time families in these regions can get to Melbourne and back on public transport in a day. It is a great service for families in East Gippsland. All the measures I have just mentioned that have been put in place to help families are what we have done in one electorate only. In just one electorate we have enabled around \$20 million in investments and services. The numbers of projects that support families has been absolutely staggering.

This matter of public importance relates to two matters where, quite simply, this government has been left to clean up the mess left by the previous administration. We have been left with a mess. We have had tough decisions to make. We are getting on with making those decisions. We are getting on with governing responsibly. We are getting on with the job of putting this state back on a strong financial footing so that it will be able to function appropriately into the future.

Mr BROOKS (Bundoora) — I am very pleased to rise in support of this matter of public importance, which has been submitted by the member for Mulgrave and Leader of the Opposition. After listening to members opposite during the course of this debate, one thing is obvious, and that is that this is not a government, it is an opposition in exile. This is a bunch of people who have not yet worked out that they are responsible for making decisions in the interests of Victorians. Today we have heard a litany of excuses and reasons as to why they have not been able to deliver on the promises they made to the Victorian people and govern for all Victorians.

Before I come to the question of TAFEs and the TAFE cuts that this government has imposed, I think it is worth remembering that a lot of the cuts made by the

government in last year's state budget continue to have an impact on Victorians. In particular I want to talk about the impact of the Victorian certificate of applied learning (VCAL). It is a shame that nearly all members of The Nationals have left the chamber, because I am sure they would be interested in a report that has just been completed by a parliamentary intern from my office on the impact of the VCAL cuts that this government made last year — \$50 million worth of cuts to the coordination part of VCAL — to rural special schools, or schools that educate kids with disabilities in rural and regional areas.

These schools are at a disadvantage, if you like, because they have limited opportunities to place kids in work placements and work experience programs. They also have a limited range of employment opportunities when you compare them with metropolitan Melbourne schools. Children with disabilities rely more heavily on the VCAL program; it is one of the main pathways for these kids as they leave school and head into the workforce.

This report lays bare the lie perpetuated by this government that the VCAL cuts have had no impact, because it shows that these special schools in rural and regional areas have had to cut funds from other areas of their budgets to keep their VCAL programs running. It is only because of the committed work of many of those concerned VCAL coordinators who have been kept on in other teaching roles, the volunteers and the schools scrimping and saving from other areas that these important programs are still running. It is a credit to those schools that they have been able to do that.

VCAL is a great program that was introduced by the previous Labor government and which provides a pathway for those kids who might not be entering the Victorian certificate of education stream. This is a fantastic program, and it is one which this government should invest in rather than cut.

The other cuts to the education system in this year's budget include the School Start bonus, which provided means-tested assistance for families; it is gone. The education maintenance allowance has been ripped away, and the conveyancing allowance has also been slashed. These are important programs and projects that enable those most vulnerable Victorians to afford a decent education. It is interesting that in the same week that the Minister for Education announced he was going to give the Department of Education greater powers to ensure that students turn up to school to combat truancy, he also ripped away those important programs that keep kids engaged in the school system.

We have also seen the economic mismanagement of this government, with jobs bleeding from the state — something about which most Victorians are very concerned. Then there are the TAFE cuts. We have heard a range of excuses today from those on the opposite side of the chamber about these cuts, but there have been savage cuts right across Victoria. Some examples include Kangan Institute of TAFE, with 150 jobs lost and 52 courses cut, and Northern Melbourne Institute of TAFE, in my part of Melbourne, with 50 courses cut and more than 100 jobs lost. Some courses at NMIT are going to increase fivefold in cost. How young people in the northern suburbs of Melbourne are going to be able to afford courses that have increased in cost five times, I am not sure. At Chisholm Institute of TAFE up to 150 people have lost their jobs. At RMIT, 150 people have lost their jobs. At South West Institute of TAFE 43 staff have lost their jobs and 169 programs are going. At Advance TAFE, in the Gippsland area, 32 jobs and 36 courses are going and eight facilities are closing.

I think it is important that those communities that will be affected by these TAFE cuts are reminded every day between now and the next election that those members opposite who represent them put their hands up to support those cuts, just like they did last year with the cuts to VCAL.

In a leaked letter we saw the Minister for Higher Education and Skills state his concern over these cuts but say that he was unable to do anything. I say that if the Minister for Higher Education and Skills is truly concerned about these cuts, he should do the honourable thing and resign. But of course that is not The Nationals' way. We saw it the last time the members of this mob were in government under Premier Kennett; they let their Liberal Party partners slash and burn country and rural Victoria, and we are seeing it again now.

Yesterday during question time we saw the Deputy Premier, the Leader of The Nationals in this place, again cut the member for Benambra loose. He does not seem to be concerned about the reputation and standing of another honourable member of this house. The Deputy Premier should do the honourable thing and stand down.

This was capped off with the throwaway quote, 'Such is life'. I am sure Victorians who are suffering the brunt of these TAFE cuts do not appreciate flippant comments like 'Such is life'. Then there is Mr Ramsay, a member for Western Victoria Region in the other place, who referred to the reaction of those Victorian families concerned about these TAFE cuts and the

impact they will have on training opportunities for their kids as 'hysterical'. In describing the range of courses that were being cut he said 'The party is over'. This is not about a party being over; this is about the education and training needs of parents and their children into the future.

I was interested to listen to the Minister for Education, who led for the government in this debate. He said, quite interestingly, that when he was in opposition as the shadow education minister it was obvious to him that the training system should be capped and was unsustainable. That is an interesting comment from the minister. I would imagine, if he was so concerned back in opposition and it was so obvious that the system should be capped, that he might have put that in the Liberal Party policy document he took to the election. But of course it is not in that document. Did he raise in the house that the system should be capped? I did a quick search of *Hansard* and was not able to find any reference.

That leaves me with two possible conclusions. One is that the minister knew that the system was unsustainable at that time and has done nothing about it and has not raised it until now, and the other is that he was not being genuine about his concerns back at that time. Another comment we regularly hear from members opposite in this sort of debate is that they are the ones doing the hard yards and cutting from these programs. Well can I say that the ones doing the hard yards in relation to these cuts are the families who will lose the main job in their household with the TAFE cuts and the students who will not be able to get the training programs they need. It is time for members opposite to stop claiming that they are the ones doing the hard yards when many Victorians will be doing the hard yards because of the priorities of this government.

Another example I want to raise about the TAFE cuts is in a recently released Council of Australian Governments report, which found that people with a disability were missing out on the economic prosperity across the nation and that there needed to be an investment in training to ensure that people with a disability could engage in employment and better participate in our society and our economy. TAFE courses are vital to that opportunity, and the slashing of TAFE courses, certificate courses in particular, will mean that it will be much harder for people with a disability to participate. As an example, there is a certificate IV in disability course run through TAFE which is for people working with people with a disability. That course is in danger because of these cuts. I would ask any member opposite to justify on the one hand saying that they champion a national

disability insurance scheme and on the other hand ripping away courses like that from people who want to work in the disability sector.

It is no surprise that the way the government has handled these cuts has led to and exacerbated the divisions between the Liberal Party and The Nationals. In recent weeks we have heard speculation about the leadership of the Premier. This is not coming from this side of the house or from journalists; this is coming from someone who sits in this house on the government benches. It is an amazing sign of the weakness of this government that, less than two years into its first term in office, people who have been elected to that side of the house are backgrounding the media against the Premier. I ask: if members of the government do not have faith in this Premier, why would Victorians have faith in this Premier? We on this side of the house know that he is not fit to govern, and it seems that people on that side of the house are just as concerned about his inability to govern.

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

Mr SOUTHWICK (Caulfield) — We have heard a whole lot of alarmist rubbish from the opposition. Labor's solution to any problem is to throw taxpayers money at it — at myki, the desal, school halls, pink batts and now TAFE, an uncapped system that is not sustainable or effective. This government is contributing \$1 billion extra to TAFE on demand-driven programs to ensure that it is restructured to be as effective, efficient and productive as possible.

The ACTING SPEAKER (Mr Morris) — Order! The time set aside for matters of public importance has concluded.

STATEMENTS ON REPORTS

Public Accounts and Estimates Committee: budget estimates 2012–13 (part 1)

Ms GRALEY (Narre Warren South) — Thank you, Acting Speaker; you usually go first at this stage. It is a pleasure to speak on the Public Accounts and Estimates Committee report entitled *Report on the 2012–13 Budget Estimates — Part One*. I will focus my comments on chapter 6, which deals with hearings relating to the Department of Health, although I draw the attention of members to chapter 2, on government contingencies, and the request by the committee for more information from the government.

At the outset I would like to take some time to set the scene for my remarks. In my electorate of Narre Warren South, Casey Hospital was built by the Labor

government to meet the needs of one of the fastest growing areas in Victoria. As I have said many times, it was the first public hospital to be built in Victoria for more than 20 years, and we worked hard to expand the services and the number of beds available there. At the last election Labor promised a further \$30 million for a new surgical operating theatre and 30 new beds, but in successive budgets the new government has provided no additional beds for Casey Hospital. At the hearings of the Public Accounts and Estimates Committee (PAEC) last year the minister conceded that Casey Hospital was at capacity. He has had a further 12 months since those hearings to come up with some solution to the expanding needs of the people of the south-east, especially for the Casey Hospital, because with the growing number of families in the area my constituents deserve to have a fully functioning hospital.

The centrepiece of the Baillieu government's health policy during the election campaign was that there would be 800 new beds in its first term of government, 100 of which would be provided in its first year. The PAEC report indicates that the 800-bed commitment is being absorbed into the redevelopment proposals that were previously exclusive of the 800-bed undertaking. When confronted by this inconvenient little fact at the PAEC hearing, the minister failed to explain why these additional beds were now part of the redevelopment proposals. The minister was asked where exactly the first 100 beds that were supposed to be implemented in the first year of office were to be located. His response to PAEC was:

We are on track to deliver that commitment.

I ask the Minister for Health on behalf of my constituents: where are the beds? And especially where are the beds for the Casey Hospital? June 30 is fast approaching, and all Victorians expect the government to honour the election commitment.

I also mention the Monash Children's hospital redevelopment, which the minister was also asked about at the PAEC hearing. This was another election commitment of the Baillieu government, matching Labor's proposal to build the hospital by 2014. However, the report indicates that only \$7.3 million was allocated in the forward estimates, bringing the total commitment to only \$15.8 million. This is only \$235 million short of what is actually needed to complete the project. The transcript shows that the minister said:

We intend to stick with our election commitments, and we will deliver for the people of the south-east.

I ask: how exactly will the minister do that, given what is in the PAEC report? How will the opening of this

hospital be achieved by 2014, when only \$7.3 million was allocated in the recent budget? There are well over 330 000 children living in the south-east, and I am sure their families would like to know when this election commitment will actually be delivered.

The PAEC report also outlines savings over the forward estimates of \$134 million in the portfolio. This is on top of the \$482 million worth of savings that were identified in last year's budget. That is a total of \$616 million in only two years. When asked how these savings will actually be achieved, the minister claimed:

We will be using Health Purchasing Victoria to do greater buying and more leveraged purchasing as a way of reducing costs.

I ask the minister how he intends to do that. It is a lot of wishful thinking on his part, I would think.

He was also asked what he would do to make the cuts to the health budget less onerous on Victorians. His statement will hardly inspire confidence. He said he would do the best he can. Those opposite should read the PAEC report. I hope he does the best he can — or even better than the best he can.

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

Education and Training Committee: education of gifted and talented students

Mr SOUTHWICK (Caulfield) — It is my pleasure to rise and speak on the report of the Education and Training Committee on its inquiry into the education of gifted and talented students in Victoria. The report represents over 12 months work by the Education and Training Committee. The terms of reference were to look at ways to provide more educational opportunities for Victoria's gifted and talented students as well as ways to enhance and support these students and their parents and teachers.

We have some 85 000 gifted and talented students in Victoria; that equates to 1 in 10 Victorian students being gifted. The group is an important cohort of students who have been sadly neglected over many years. There is a widespread misconception that gifted students will succeed without any assistance at all. We know that these students need to be stimulated and to be provided with support and encouragement. They are our potential leaders of the future, and we are missing a huge opportunity by not investing in this cohort of students. Gifted students are young people who have natural abilities in a wide range of areas. The committee looked at gifts, including those in science, sport,

language and leadership, as well as academic ability. Gifts need to be nurtured and nourished in order to become fully realised so that students can achieve outstanding performance.

The committee's research shows that the education system plays a key role in transforming students' gifts into talents. Gifted students who are not appropriately supported can become disengaged. The committee found that many students drop out at year 10 level as a result of not being properly supported and that these are missed opportunities. It also found that students can experience social behaviours such as anxiety and bullying if they are not properly supported at school. These factors gave the committee even more reason to provide solutions in relation to the issue of gifted children. The first and foremost among these solutions is to have a statewide policy which supports gifted and talented students. We need to ensure that all kids are supported, no matter where they are, whether that be in rural or regional areas or in the city. Every gifted child in every school needs to be supported by a program. Kids learn differently, and certainly gifted and talented students need to be supported on an individual basis with individual learning plans.

One of the committee's recommendations involves accessibility — that is, the creation of a virtual school. Such a school could ensure that students who did not have proper access could be supported and could learn together. Teachers are a powerful influence on the educational outcomes of students, as we know, and this report recommends increased education and training for teachers as well as increased access to information, expert advice and support. The committee also looked at supporting students with counselling. Importantly parents and families of gifted students also need greater support and advice.

The committee considered a number of pieces of evidence. We received 100 submissions, held 10 days of public hearings, visited six schools as part of the inquiry and held two forums: a forum for parents of gifted students and a forum for primary school principals. We had a huge amount of interest from a number of people. I would like to acknowledge two people who are in the house today: Susan Knopfelmacher, a representative on the World Council for Gifted and Talented Students, and Carmel Meahan, the president of the Victorian Association for Gifted and Talented Children. Both Susan and Carmel have been very passionate supporters of this research.

I also thank the committee members: deputy chair and a member for Western Victoria Region in the other place, Gayle Tierney; the member for Mildura; Nazih

Elsamar, a member for Northern Victoria Region in the other place; and the member for Bentleigh, all of whom worked tirelessly. My particular thanks also go to our committee secretariat: Kerryn Riseley, the executive officer who oversaw the research and wrote the final report; Natalie Tyler, the administrative officer; Anita Madden, our research officer; and Maria Scott, the former research officer who did some preliminary research.

This is a very important area. These young people are the future for all of us, and we need to ensure that their abilities are harnessed, grown and supported. These young people are the leaders of the future, and it is an absolute shame that many of them are not supported and not provided with the encouragement they need. It was a pleasure to undertake this research. We found some areas that are performing very well; however, others need a lot of help. We need to do what we can to ensure that gifted and talented students in Victoria are supported in every way.

Public Accounts and Estimates Committee: budget estimates 2012–13 (part 1)

Mr McGUIRE (Broadmeadows) — I rise to comment on the Public Accounts and Estimates Committee report entitled *Report on the 2012–13 Budget Estimates — Part One*, which was tabled in June 2012. I want to make particular reference to the Department of Health hearings and the key budget themes for 2012–13, which are at page 57 of the report. I will briefly quote from that page:

The department's key strategic priorities for the 2012–13 budget and forward estimates are the reform priorities outlined in *The Victorian Health Priorities Framework 2012–2022*:

It is important to know what these priorities are to frame my contribution. They are:

1. developing a system that is responsive to people's needs;
2. improving every Victorian's health status and health experiences;
3. expanding service, workforce and system capacity;
4. increasing the system's financial sustainability and productivity;
5. implementing continuous improvements and innovation;
6. increasing accountability and transparency;
7. utilising e-health and communications technology.

I wish to place on the record in this contribution the unique challenges that Broadmeadows provides.

Ms Claire Wong made a finding on this in her report *Healthy Communities*. It states:

In the quest to define how best to implement health services in a defined area, research has shown that the social determinants of the population need also to be taken into account.

The report further states:

This report recommends that the health, and other infrastructural needs of the north, as an area of both increased growth and customary disadvantage be placed on the agenda of all relevant government bodies, departments and levels. As outlined in the Ottawa Charter, 'Health promotion goes beyond health care. It puts health on the agenda of policy-makers in all sectors and at all levels'. As well as infrastructural growth in general, specific to health care, this report acknowledges the pressing need for the Northern Hospital to be expanded to meet service needs.

This is an insightful and important report, and I would like to congratulate Ms Claire Wong on her hard work and the practical value that this report will provide to the Parliament. She has prepared this report as a member of the Victorian Parliamentary Internship program.

Mr Delahunty — Good program.

Mr McGUIRE — As the Minister for Sport and Recreation says, it is a good program. I would like to commend Ms Claire Wong on her diligence, and I would also like to commend the program in general. It gives some of our best and brightest real experience in a practical way. That is why I wanted to put on the table before the Parliament what Ms Wong's research has found.

I now want to connect that research to a key project which would have greatly assisted the Department of Health to meet its key strategic priorities regarding the unique challenges and significant health needs of Melbourne's north — that is, the Northern Health academic and research precinct. The government has failed in its responsibility to deliver this key project under its own priorities. This was a \$50 million project that would have delivered a world-leading clinical teaching and education precinct at the Northern Hospital, which would have enabled more than 600 medical, nursing and allied health professionals to be trained in Melbourne's north. This is particularly critical because the Northern Hospital is in effect the Broadmeadows hospital.

This was a major project that was jointly funded by the commonwealth and state governments, La Trobe University, the University of Melbourne and Northern Health. The commonwealth government committed

\$14 million, the universities each committed \$7.2 million and Northern Health committed \$5 million. Recognising the value of this project and its potential to deliver vital health services to Melbourne's north, the previous Labor government committed \$11 million to secure the deal.

What makes the Baillieu government's failure to honour Labor's commitment so galling is the fact that the government's own metropolitan health plan outlines a critical need for these services in Melbourne's north. It says the outer north-west is expected to experience the largest population growth of all planning areas in the state, with growth of nearly 50 per cent within the next 10 years, and the size of Victoria's health workforce will be insufficient to meet this demand, with the system projected to lose around 6000 nurses over the same period.

Far from the government honouring its election commitment to transparency and accountability, the metropolitan health plan was slipped out by the Minister for Health under the shadow of the government's first budget — a classic tactic to avoid scrutiny. The minister has also taken six months to respond to an adjournment matter I raised with him in regard to the Northern Hospital's academic and research precinct, and I was forced to raise a point of order to try to get an answer.

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

Education and Training Committee: education of gifted and talented students

Ms MILLER (Bentleigh) — It is my pleasure to rise to speak on the Education and Training Committee's report entitled *Inquiry into the Education of Gifted and Talented Students*. I thank the chair, the member for Caulfield; the deputy chair, Gayle Tierney, a member for Western Victoria Region in the Council; Nazih Elasmr, a member for Northern Metropolitan Region in the Council; and the member for Mildura. I also thank the executive officer, Kerry Riseley; the administration officer, Natalie Tyler; and researchers Anita Madden and Maria Scott. This was a fulfilling inquiry to work on, and I am delighted to speak on the report. The inquiry was conducted over 12 months of research and consultation by the Education and Training Committee. I thank all the witnesses for their evidence and all students, parents, teachers and schools for their participation.

The report calls on the Department of Education and Early Childhood Development to formulate a

comprehensive strategy to address the needs of gifted and talented students in Victoria. It is vital that schools identify and support these students early so that their educational needs are met and their future potential is fulfilled in the way they need it to be. Often these talented and gifted students go on to be visionaries, innovators and leaders. We need to nurture and encourage this if we are to put these students on the path they choose to take.

The committee's research shows that the education system plays a key role in the transformation of these students. It is estimated that 1 in 10 Victorian students is gifted and/or talented, which is phenomenal. Gifted students have different needs. They require faster paced learning, more complex content and opportunities to use higher order thinking and problem-solving skills. Gifted students need to be appropriately challenged, and if they are not, they can become disengaged from learning. It is for this and many other reasons that the report recommends that the Department of Education and Early Childhood Development play a much greater role in providing information and support in relation to gifted children.

Every gifted student is different, and their needs are different. However, some approaches have proved to be particularly effective for high-ability students, including curriculum differentiation; ability grouping; acceleration, enrichment and enhancement; and personalised learning. The incorporation of these strategies must form the cornerstone of gifted education in Victoria.

The report makes 65 recommendations, including making gifted education more accessible, creating a virtual school, making school expertise more broadly available, increasing education and training for teachers to identify and support gifted students, providing counselling support services for students and parents, and putting a positive obligation on all schools to identify and cater for gifted students. The committee recommendations provide a framework for ensuring that all gifted students in Victoria are given the opportunity to meet their full potential. The report also recognises the powerful influence that teachers' abilities have on student learning. We need to increase teachers' access to professional development in the field of gifted education and ensure that they have the materials they need to support gifted students.

The committee's investigations identified that the education system is currently not meeting the needs of the state's gifted students; however, there are individual schools and programs that are effectively catering for gifted students. The report highlights the need for more

work to be done in this area and more consistency to be provided across the state for the students. As the chair said:

If we don't act to harness the potential of gifted young people now, we are robbing the Victoria of tomorrow of future leaders.

It is important that we provide every student with access to education and more importantly that we capture, nurture and encourage the abilities of all students, in particular gifted and talented students, to ensure that they can fulfil their own needs and ambitions to help them to be the best they can be and to aspire to whatever they choose for the future.

Finally, I encourage all members of Parliament to read the report, in particular the recommendations. I thank everyone involved in the inquiry into the education of gifted and talented students. The children of today are the future of tomorrow, and we need to ensure that we give them every opportunity to reach their full potential, to be the best they can be and to do whatever they choose to do in the future.

Economic Development and Infrastructure Committee: greenfields mineral exploration and project development in Victoria

Mr FOLEY (Albert Park) — I rise to make a brief contribution again regarding the valuable report by the Economic Development and Infrastructure Committee entitled *Inquiry into Greenfields Mineral Exploration and Project Development in Victoria*. I do so because I want to focus on one particular aspect of that report — that is, coal seam gas in its many different iterations. Whether it is shale gas, tight gas or one of a range of other unconventional gas forms, we need to get the regulation of this important sector right.

The very first, unanimous recommendation of this committee — which we need to recall is controlled by government members — is that the Victorian government establish an appropriate process to enable consultation with stakeholders, including local communities, on issues regarding the future of coal seam gas exploration. I ask the Minister for Sport and Recreation, who is at the table, to take particular notice of this, because it is a significant issue for The Nationals and for regional Victorians.

What we have found is that this new form of mining, this emerging sector, is about to transition from the many exploration licences to extraction. Indeed there have been media reports in the last week that the first of those extraction applications, in South Gippsland, is about to come before the government. That needs to be

got right, because up until now we have had a process of exploration, but now we are about to turn the corner into extraction, and as we have found elsewhere in Australia and internationally, the need to get this important sector right from the start is critical. That is why the committee came up with the recommendation it did, its first recommendation.

I was pleased to see that associate professor of law at Deakin University Samantha Hepburn has commented on this at some length in recent times, pointing to the contributions, relatively speaking, of agriculture versus mining in Victoria and pointing to the need to get the mining versus agriculture debate right. As we have found as we have gone about regional Victoria and taken submissions on this issue, it is an issue that very much has the government's attention, with the Minister for Energy and Resources having promised to establish a new ministerial advisory council in this area. He needs to, because what we have also learnt is that the Victorian Farmers Federation has adopted a groundbreaking new policy position — for it — on this particular issue, one that again goes to the tensions playing out in the coalition.

It is not just the issue of the Deputy Premier and his problems with the member for Benambra — or the other way around; it is not just the issue of the fire services levy; and it is not just the issue of the TAFE cuts having a disproportionate impact on regional Victoria or the Department of Primary Industries offices being closed across regional Victoria. What we have here is a long-term issue that if mishandled will see farmers pitted against miners, particularly those engaging in energy extraction.

What we have here is what will be a very long-term burning issue, in many senses, unless it is got right. So the associate professor's comments on the website www.theconversation.edu.au need to be taken into consideration by the government and this report needs to be taken into consideration by the government. What it really plays to is the fundamental tensions in the coalition on the other side over the relative merits of protecting food security and the rights that ownership of land brings and energy extraction and energy security.

We need to make sure that those are properly aligned and properly attuned and that we get energy extraction and energy security right in Victoria, because of course if we do not, some of the predictions we have seen about missed opportunities and missed economic development and investment in Victoria will be sad realities for regional and rural Victorians. Because what we have established is that there will be real threats if this industry is mishandled, whether that is through the

fracking process or the saline water process, it is actually very important that The Nationals stand up for regional Victorians and get this process right.

**Drugs and Crime Prevention Committee:
locally based approaches to community safety
and crime prevention**

Mr McCURDY (Murray Valley) — I rise to make a contribution on the Drugs and Crime Prevention Committee report on the inquiry into locally based approaches to community safety and crime prevention, which was tabled in the last sitting week, on 5 June. The committee was asked to examine how our communities go about improving community safety and preventing crime, which is certainly a subject close to my heart. This inquiry has focused on the processes and models through which effective crime prevention policy and programs can be developed and implemented at a local level and the partnerships that can be formed to make this happen. As the key aspect of this inquiry was examining local approaches to crime prevention, the work of local government and community agencies features strongly throughout the report.

Personally, I have welcomed the opportunity to be a part of the committee. The need for the citizens of Victoria to feel safe in their homes and their communities is paramount, and I do hope that this inquiry into locally based approaches to community safety brings us a step closer towards developing initiatives that improve our sense of safety and wellbeing. I also hosted, along with my committee colleague the member for Gembrook, a community forum in Wangaratta recently that also looked at drugs and crime prevention and other security issues in the local community.

As indicated in the committee report, crime prevention theory and research indicates that initiatives developed and implemented at a local level are some of the best ways of reducing crime and antisocial behaviour. For example, vandalism, property crime, antisocial behaviour and alcohol-related crime may impact some communities but they are not as big an issue in other areas. So it is really important that municipalities have crime prevention techniques that are specific to their areas. The committee believes that due to the complexity of the task a one-size-fits-all approach is not appropriate; the best ways of addressing the issues of crime and antisocial behaviour differ throughout our state.

As discussed in the report, it is equally important to incorporate the concepts of community engagement,

social capital and community capacity building into crime prevention policy and program implementation. A crime prevention approach that invests in social development and community capacity building is essentially about making local communities more livable, happy and healthy places for all.

There were over 30 recommendations in this report, the first being that the community crime prevention unit should develop a crime prevention and community safety framework as a means of coordinating government action in the area. In developing the framework the government should ensure that it consults with relevant partners in community crime prevention, such as local government, police and representatives of non-government organisations.

Another recommendation that was made was that Neighbourhood Watch, as part of its current funding requirements, be reviewed by the Victorian government in 2013. The review would assess the effectiveness of Neighbourhood Watch as a government-funded crime prevention initiative. It should also indicate on the evidence received whether on balance further government funding should be allocated to support Neighbourhood Watch beyond 2014. Those are just a couple of the recommendations to come out of this report.

Crime across the state rose by 4.1 per cent in the 12 months to March this year compared with the same period the previous year. Crimes against people, which include family violence-related crimes, went up 10.4 per cent, while drug offences rose by 14.7 per cent and robberies went up by 5.6 per cent. So it is an issue that is very important and one that we need to continue to tackle.

I commend the work that was done by executive officer Sandy Cook, legal research officer Pete Johnston, research officers Stephen Pritchard and Mignon Turpin, and administrative officer Danielle Woof. The committee would also like to thank Peter Homel from the Australian Institute of Criminology, who contributed to this report. Thanks to the other members of the committee for their bipartisan approach. We worked very well together. I thank the members in the other place — Simon Ramsay, a member for Western Victoria Region, Johan Scheffer, a member for Eastern Victoria Region, and Shaun Leane, a member for Eastern Metropolitan Region — and I thank the member for Gembrook in this place.

CARBON TAX: ECONOMIC IMPACT**Debate resumed from 19 June; motion of Mr O'BRIEN (Energy and Resources):**

That this house notes that the federal Labor government's proposed carbon dioxide tax will:

- (1) increase the cost of living for all Victorian families, notably in relation to the cost of electricity and gas;
- (2) hurt Victorian business and destroy jobs by increasing costs, especially in manufacturing, food processing and agriculture;
- (3) short-change Victorian families and businesses with inadequate compensation arrangements;
- (4) increase costs for all Victorian schools, hospitals and public transport;
- (5) disproportionately hurt Victoria for being endowed with world-class brown coal resources and generation;
- (6) undermine Victoria's export position and the international competitiveness of Australia relative to its major trading partners;
- (7) according to federal Treasury modelling, hit Victoria first and hardest by damaging Victoria's gross state product more than that of any other state for the next 25 years; and —

that this house therefore condemns the federal Labor government for undertaking this action with no electoral mandate and in a direct betrayal of commitments made to the Australian public before the 2010 federal election.

Mr O'BRIEN (Minister for Energy and Resources) — I am pleased to sum up on behalf of the government in relation to this important motion before the house. This is the last sitting week of this house before the federal government's carbon tax comes into force on 1 July 2012.

During the course of the debate on this motion, we have heard a number of members on the government side refer to their concerns about the very real impact we will see in Victoria — on Victorian families, on Victorian businesses, on jobs and on our cost of living — as a consequence of the federal Labor government's carbon tax. What we have heard from members opposite can be best summed up in the words of James Reyne in the song *Land of Hope and Glory*, 'A hotbed of indifference, a seedbed of so-so'. What we have heard is members opposite twisting and turning in every way possible to avoid taking a stance on this motion. When this motion is put to the house, as it will be shortly, it is incumbent on all members to take a stand. Should the Labor Party fail to stand up and clearly have its voice heard on this motion by opposing it, then we can only assume that the Labor Party in this

place will support every proposition, nos 1 to 7, of this motion before the house.

From federal Treasury's own modelling, we know that the carbon tax will hit this state first and hardest. We will have the greatest diminution to our gross state product of any state in the commonwealth from the introduction of the carbon tax right through the next 25 years. This is a federal Labor carbon tax, supported by members opposite, that will damage this state for a generation. And for what? Where is its obvious benefit? Can anybody see how making power more expensive and less affordable for families is to the net benefit of this country or this state? Can anybody explain why damaging Victoria and its status as the manufacturing heartland of this country is going to help the environment? Can anybody explain how losing 35 000 Victorian jobs, slashing investment by \$6.3 billion, reducing the Victorian state budget by about \$660 million per year and reducing per capita income by more than \$1050 a year, which is all indicated in the Deloitte Access Economics modelling released by this government, benefits the environment or the people of Victoria?

This is a bad tax. It is a tax that will hit Victoria first and hardest. It is bad policy. Members of the coalition in this Parliament oppose this carbon tax, and therefore we support this motion. I look forward with interest to see whether members opposite will stand up for their state or stand up for their party.

Motion agreed to.**FORESTS AMENDMENT BILL 2012***Second reading***Debate resumed from 19 June; motion of Mr R. SMITH (Environment and Climate Change); and Ms NEVILLE's amendment:**

That all the words after 'That' be omitted with the view of inserting in their place the words 'this house refuses to read this bill a second time until the proposals contained in the bill have been referred to and considered by the Environment and Natural Resources Committee'.

Ms EDWARDS (Bendigo West) — Since November 2010, when a member for Northern Victoria Region in the other place, Ms Lovell, who is the Minister for Housing, notoriously put out a statement saying that the coalition government would allow free collection of firewood and abolish the permit system that had been in place for over 60 years — a permit system that was effective, respected and understood by private firewood collectors and by the professional

woodcutting industry — there has been widespread confusion, and as a result widespread breaking of the law, among people who have thought that suddenly they could collect firewood from anywhere, at any time and all year round, according to Ms Lovell. They thought they could collect as much as they liked. The culture of respect for forests and for the environment that had been built up over years has now sadly been torn down by this Liberal-Nationals coalition government, which has got it wrong again.

The no. 1 problem with this legislation in allowing firewood collection from our state forests but limiting it to 2 cubic metres per day per person or 16 cubic metres per annum is that it just cannot be policed. There are not enough staff members employed by the Department of Sustainability and Environment and the Department of Primary Industries to keep a check on the level of pillaging of firewood that has occurred and will continue to occur. The staff of DSE and DPI in Bendigo must cover an area that goes from Heathcote to Rushworth, right across the Bendigo region, to Gunbower and to the Pyrenees, Maryborough and Castlemaine. There are just not enough staff members to do this, and the recent cuts to DPI offices in the regions will make breaches of the legislative provisions even harder to police.

I refer to a report of 2 May in the *Weekly Times* in which a North Central Catchment Management Authority member is quoted as saying that the government no longer has the staff to patrol firewood collection points:

People are going in, we hear they're merchants from the city, and just taking everything ... the free system was always going to be open to abuse.

In the same article a Victorian National Parks Association spokesman refers to 'unscrupulous people' who are moving between various country sites using gangs of people and even truck-mounted cranes to remove wood that is supposed to be available for local residents and then selling it on the cash-in-hand market in areas of Melbourne. Nowhere has this been more apparent than in the area around Axedale, where locals have found that when they went to collect their allocated load of wood, there was not one tree in the designated collection area that had not been clipped. I refer to a report of 7 April in the *Bendigo Advertiser*, where a resident confirms that there have been:

... convoys of flatbed trucks with cranes, and several people with chainsaws, frantically cutting up and removing tonnes of fallen timber.

While the proposed legislation makes it illegal to remove hollow logs and wood that is visibly growing

moss or fungi, once again there are serious constraints on the ability for this illegal activity to be monitored or policed.

I would also like to refer to the new offence under this legislation of requesting or accepting reward for collecting firewood on behalf of another person. What a ludicrous thing! Anybody who has lived in the bush or the country all their life, as I have, knows that the barter system operates in the country. If someone asks you to go out and get them a load of wood, what do you usually do? You repay them in kind in some way or another. Maybe it would be a slab of beer in the case of the member for Benalla; I do not know. Maybe there would be a monetary reward for the petrol they have used. This is absolutely ludicrous.

According to the final report of the *Box-Ironbark Forests and Woodlands Investigation*, which was released in 2001, in 15 to 20 years Victoria would have run out of firewood. The recommendation in this report was for the diversification of farming on private land to include the growing of trees specifically for firewood. As a result, there are large areas around Skipton near Ballarat, in Gippsland and in Kamarooka North, where these private growers are ready to harvest.

In complete contrast to the claims of members of The Nationals that they are in this Parliament to represent the farmers and agricultural interests, they have gone against their own philosophy and undercut these private growers by allowing a taxpayer-funded free-for-all wood collection fiasco to continue unabated in our forests and across the state. No wonder these private farmers who have been readying these trees for harvest for years are angry with The Nationals — they have been badly let down. The box-ironbark forests face a very bleak future under the new system proposed by this legislation.

Establishing two collection seasons per year is the sensible part of the proposed legislation; however, under the previous permit system the two-season collection system existed anyway — in the spring and in the autumn. But more importantly the permit system for firewood collection, established under the former Bolte government, provided clear and well understood parameters for when, where and how much firewood could be collected. The permit was a licence to collect firewood within the collection boundaries, and it was a system that developed and encouraged responsible firewood collection because people knew what was expected. Records of who was collecting firewood were maintained, and this ensured compliance with rules regarding what wood could be taken from where and how much was manageable.

Since a member for Northern Victoria Region in the other place opened up a can of worms by declaring open slather on firewood collection, there has been a breaking down of this culture and of what is right and what is wrong when it comes to firewood collection. This change revealed that this policy, like many the government has introduced, was done without proper consideration of the consequences or the implications. The current free-for-all that now exists has resulted in growing concern among rural and regional people that the system is open to and is promulgating abuse. Of further concern is that under this new system people collecting firewood will have to read the *Government Gazette* or go to the Department of Sustainability and Environment website to understand their rights, and potentially these may change throughout the firewood collection season.

It is for these reasons that Labor will be moving an amendment to have this legislation referred back to the Environment and Natural Resources Committee. There is too much at stake for this legislation to go ahead without a further and thorough examination of its impact on our society. The initial legal bungle was made when the government changed the regulations and announced that firewood could be collected without a permit but failed to change the legislation which at the time held penalties for firewood collection without a permit.

I would urge the government to agree to this amendment. This is far too serious a matter — there are far too many people making money on the side and there are far too many householders who are unable to collect the wood they need for their own homes because they are being undercut, if you like, by rogue traders who are coming into our forests and stealing wood — for there to be no significant policing of who is doing what and when and where it is being done. I urge the government to support the amendment.

Sitting suspended 1.00 p.m. until 2.03 p.m.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Department of Treasury and Finance: corporate hospitality

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. I refer the Premier to the Department of Treasury and Finance's multimillion-dollar corporate hospitality tender released on 6 June this year, and I ask very simply: how it is that the Premier can afford

silver service but cannot provide funding for TAFE students?

Mr BAILLIEU (Premier) — I thank the Leader of the Opposition for his question. We had a similar question to this recently, and I made the point at the time that the government had taken steps to cut back significantly on expenditure. Indeed the arrangements that have been put in place by the current government have seen cabinet members paying for their own lunches, unlike their predecessors.

Honourable members interjecting.

The SPEAKER — Order! The house will come to order.

Mr BAILLIEU — As I was saying, unlike the previous government and unlike the Leader of the Opposition — —

Honourable members interjecting.

The SPEAKER — Order! I am not going to put up with this today. Members will not get a warning. If I do not get some quiet, members from either side of the house will be out of the chamber.

Mr BAILLIEU — On the previous occasion the opposition's characterisation of the tender that was let by the Department of Premier and Cabinet was completely and utterly wrong, and I expect it would be the same in this case.

China: trade mission

Ms WREFORD (Mordialloc) — My question is to the Premier. Will the Premier outline the coalition government's initiatives to strengthen trade and investment between Victoria and China, one of Victoria's most important trading partners?

Mr BAILLIEU (Premier) — I was pleased that at the recent economic forum held by the Prime Minister there was a focus on three things. They happened to be: firstly, responsible budget positions into the future; secondly, productivity; and thirdly, emerging markets, particularly in Asia. Those three themes at the Prime Minister's conference happened to coincide with the first three themes that we have been advancing for many months.

Members would be aware that China is now Victoria's no. 1 trading partner and no. 1 tourism market, and there are extraordinary opportunities ahead for business and other sectors to engage with China. Whether it be through tourism, commerce or culture, that is what we

will be doing, and we will be seeking to engage further. In this year's budget we have allocated \$50 million to Victoria's international engagement strategy, which is a key part of this government's strategy for dealing with the challenges Victoria faces.

I was pleased last year to take a delegation to China. At the time I respected the efforts that had been put in by the previous Premier, and I acknowledge that. But we have sought again to advance super trade missions to the Middle East and to Korea and a second one to India. These are important steps.

I note the comments of Peter Maher on 3AW on 5 June, when he said:

Have a look at where China was 20 years ago and where it sits today. This can be done. There is no doubt it can be done, and we require some leadership from our political leaders now, to go and incentivise our business people to get involved in this and to go and identify these new markets, find them and come up with products for these markets.

That is exactly what we will be doing in September — looking to the staggering demand and the staggering opportunities that China presents for all Victorians.

Honourable members interjecting.

Mr BAILLIEU — Yes, staggering. The Leader of the Opposition displays his contempt for the China-Victoria relationship yet again.

Honourable members interjecting.

Mr Andrews — On a point of order, Speaker, we will be saving our contempt for the Premier, just for the benefit of the *Hansard* record. It is rather unbecoming for the Premier to besmirch the bipartisan support for the relationship with China.

Honourable members interjecting.

Mr Andrews — If the Premier wants to amend the speech he gives at every multicultural function, including Chinese ones, that is fine, and I might amend mine too.

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

Mr BAILLIEU — That was absolutely staggering. As part of our determination to ensure that Victoria remains a leader in Asia I will be leading one of Australia's largest ever trade missions to China in September this year. I expect that mission will attract hundreds of businesses and organisations from a diverse range of sectors — automotive, aviation, aerospace, education, food and beverage, ICT, mining

equipment, technology services, professional services, health care, cleantech, sustainable urban design and tourism.

This mission will strengthen Victoria's relationship with China significantly and generate substantial new opportunities, additional exports and jobs. It is an important relationship and an important opportunity. This is another example of Victoria leading the way and setting the pace. We will continue to do that. We now have a very strong commitment to international engagement, unlike some and unlike those who would talk down this state, talk down every opportunity, talk down every trade mission and seek to exploit it for political purposes.

Schools: education maintenance allowance

Mr MERLINO (Monbulk) — My question is to the Premier. How can the Premier claim 'The EMA will increase across the board at all levels' when a survey conducted by the Victorian Principals Association at just 165 schools across Victoria shows that \$1.8 million has been cut from the EMA (education maintenance allowance)?

Mr BAILLIEU (Premier) — We have been through this. The EMA in 2012: \$117 for preps will go to \$200; for years 1 to 6 it will go from \$117 up to \$150; for year 7 it will go from \$235 to \$300; and for years 8 to 12 it will go from \$235 up to \$250. In anybody's language, in the hands of parents those EMAs will increase, and on top of that there will be tens of millions of dollars available to schools with a high EMA component. We have made the point before, and we make it again.

Mr Merlino — On a point of order, Speaker, understanding order 58 the Premier is required to be factual. The school component of the EMA has been abolished. In regard — —

The SPEAKER — Order!

Mr Merlino — Speaker, if I can finish my point of order — —

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

Mr Merlino — I am entitled to take a point of order, Speaker.

The SPEAKER — Order! The member is entitled to take a point of order, but he raises the question of whether the Premier's response is factual or not. I

cannot judge, and it is not up to me to judge, whether an answer is factual.

Mr Merlino — I have not concluded the point of order, Speaker.

The SPEAKER — Order! The member should get on with it.

Mr Merlino — The school component of the EMA has been abolished, and with respect to the equity funding, in the survey conducted by the Victorian Principals Association, \$1.8 million has been cut and only \$122 000 — —

The SPEAKER — Order! The member was just repeating the question that was asked. When a member gets to their feet on a point of order is not the time to debate an issue. I do not uphold the point of order.

Emergency services: earthquake response

Mr BLACKWOOD (Narracan) — My question is to the Deputy Premier and Minister for Police and Emergency Services. Can the minister update the house on the emergency services agencies' monitoring of and response to last night's earthquake?

Mr RYAN (Minister for Police and Emergency Services) — I thank the member for his question, particularly since the earthquake occurred in a region which is represented by him. I recognise that for the member and for many other Victorians the earthquake last evening was the cause of very considerable concern, a concern which I am sure is shared by all members of the house.

At about 8.55 p.m. last night the state experienced a 5.3 magnitude earthquake. It was recorded at a point approximately 15 kilometres south-west of Moe and 10 kilometres south of Trafalgar in Gippsland. Many people throughout the state reported shaking windows, trouble with falling roof tiles, items falling from shelves and rippling motions throughout their house. In this house, if I may say so, there were many who felt the earthquake occurring. Estimates suggest that this quake was within 10 kilometres of the earth's surface, and the reports suggest it was the biggest earthquake to hit Victoria for somewhere of the order of 109 years.

As the house would know, the State Emergency Service (SES) is the first responder for earthquakes. Command and control arrangements were put in place following the event, and those arrangements remain in place at a state, a regional and an incident level. The emergency management teams have been meeting accordingly, and they have been assisted in their work by Geoscience

Australia, which has provided the situation awareness to this group.

Late last evening the Premier and I attended the state control centre as the reports were coming in to that centre from the various relevant agencies which were providing their input as to the events surrounding the earthquake. Fortunately there have been no reports of significant damage or injuries, and the government is currently not expecting any issues in relation to critical infrastructure such as roads, rail, dams or power supply. The state of that critical infrastructure is continuing to be assessed and monitored by the relevant authorities.

The SES received 46 requests for assistance, and 30 of those related to building damage. Within the first hour of the quake, 850 calls were made to the Emergency Services Telecommunications Authority via either 000 or the 132 500 number, and 420 calls were received within only 15 minutes of 9.00 p.m. The majority of those calls were notifications, as opposed to reports of damage, as people recorded the alarm of the event they had sensed.

Anybody who is worried about the damage that may have been caused to their property is encouraged to contact qualified tradespeople to ensure that appropriate inspection and repairs are carried out. Where it is that insurance claims may need to be made, although the terms of the policy will accommodate whatever might be the entitlement of any person insured, one would like to think that if there is discretion available to insurers in these extraordinarily unusual circumstances, that discretion will be exercised in favour of the persons concerned.

Anyone requiring emergency assistance is encouraged to contact the SES on 132 500. Geoscience Australia has advised that as of this morning there have been 60 aftershocks in the area, ranging from a magnitude of 3.5 to less than 0.2. These are most unusual events, and to add to that a severe weather warning remains current for the areas that were impacted by the earthquake last night. Fortunately, as I say, no-one has been injured and there has been limited damage — and one would hope that that will continue to be the case.

State Emergency Service: funding

Mr ANDREWS (Leader of the Opposition) — My question is to the Deputy Premier and Minister for Police and Emergency Services, and it follows on from his last answer. I refer the Deputy Premier to leaked minutes of the VICSES (Victoria State Emergency Service) leadership meeting held on 29 May this year that detail deep government cuts — cuts to the tune of

\$4.2 million — and I ask: given the increase in call-outs for floods, storms and even earthquakes, as detailed by the minister only a few moments ago, how does the Deputy Premier and indeed the government expect the SES to continue its outstanding work in light of these savage cutbacks?

Mr RYAN (Minister for Police and Emergency Services) — I thank the Leader of the Opposition for his question. As a government we are proud to continue to support our emergency services providers — —

Honourable members interjecting.

The SPEAKER — Order! The member for Mill Park!

Questions interrupted.

SUSPENSION OF MEMBER

Member for Mill Park

The SPEAKER — Order! The member for Mill Park can leave the chamber for half an hour.

Honourable member for Mill Park withdrew from chamber.

QUESTIONS WITHOUT NOTICE

State Emergency Service: funding

Questions resumed.

Mr RYAN (Minister for Police and Emergency Services) — We are proud to support our police and our emergency services agencies in the way we do. Those agencies, supported by great volunteers, do such a magnificent job, and they are enjoying a level of support which enables them, beyond anything they have seen before, to continue to do their great work for the benefit of all Victorians. Again, as the Leader of the Opposition has just observed, we saw instances of that last night through the wonderful work of not only the SES but also the many other agencies involved.

When you work your way through them, the facts are replete with examples of the way in which we have continued to support those great agencies. That has happened across a range of sectors. For example, we are, in our first term, building or renovating 250 Country Fire Authority stations across Victoria. We are providing levels of support by way of equipment supplies for SES personnel in a manner they have not previously seen. I meet regularly with

members of the SES, not only here in Parliament but out on the job as they are doing their great work, and they repeatedly say to me that they are very grateful indeed for the enormous support they receive from this government.

Ms Hennessy — On a point of order, Speaker, under standing order 58 the Deputy Premier's response is required to be factual. The Deputy Premier is trying to make this chamber believe that the SES is very grateful for its \$4.2 million cuts, yet the Leader of the Opposition's question referred to minutes from an SES leadership meeting which state that it finds its current budget extremely tight. The Deputy Premier was asked how he expects the SES to cope in light of those \$4.2 million cuts.

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

Mr RYAN — To take just one instance of where the SES is going to be the beneficiary of investments we have made in this budget, at Waurin Ponds, as the house will know, we are investing about \$15 million in what will be a — —

Mr Andrews — On a point of order on the issue of relevance, Speaker, the minister was asked about a \$4.2 million cut, as detailed not by me but by the SES leadership group itself. If he does not want to defend it, he should just sit down, but he should not talk about matters that are not relevant to the issue he was asked about. If he does not want to answer it, he should resume his seat.

The SPEAKER — Order! I ask the Leader of the Opposition to resume his seat. I do not uphold the point of order. The answer is relevant to the question that was asked.

Mr RYAN — At Waurin Ponds we are going to see a magnificent new facility built — a co-location of yet another brand-new police station with a wonderful facility for the State Emergency Service. This is but one of many instances where we are continuing to support these great agencies throughout Victoria. I am very proud as a minister of this government to be able to continue to support these agencies, and these agencies can be assured that that circumstance will continue.

Energy: security of supply

Mr NORTHE (Morwell) — My question is to the Minister for Energy and Resources. Can the minister update the house on the current state of Victoria's security of energy supply and any threats to that security?

Mr O'BRIEN (Minister for Energy and Resources) — I thank the member for Morwell for his question. The Victorian government is committed to ensuring that Victorians can have confidence in our supply of energy — that we can keep the lights on. It has been a very challenging fortnight, particularly in the Latrobe Valley, for some of our major generators.

First I would like to update the house on the situation at the Yallourn power station. Members would be familiar with the extraordinary pictures seen a fortnight ago, when the Morwell River diversion managed to break and conveying tunnels managed to fill with water as a consequence. That led to major reductions in supply coming out of the Yallourn power station in the Latrobe Valley. They were down to less than full capacity of one of the four generating units.

I immediately got reports from the Department of Primary Industries, as the regulator for mining safety, from the Australian Energy Market Operator, as the operator of the national electricity market, and from TRUenergy, as the operator of the Yallourn mine, including through TRUenergy's managing director, Richard McIndoe. The advice from AEMO was that notwithstanding Yallourn's reduced capacity Victoria still had sufficient generation capacity to meet the expected peak demand for winter of 7500 megawatts, with a further 1800 megawatts in reserve.

Department of Primary Industries regulators remain on site on a daily basis to make sure we can facilitate Yallourn coming back on line quickly and safely. I was on site last Thursday with the member for Morwell, and we saw for ourselves the work that is going on there at the moment to try to get Yallourn back to capacity as soon as possible. I am advised that a second unit is expected to return to operation tomorrow and a third unit is expected to return to operation by the weekend.

The impact of the earthquake last night also affected the security of our energy supply. As a result of the earthquake experienced just out of Moe last night, three of the four units at Loy Yang A were tripped and a transmission line between Loy Yang A and Hazelwood went down. As a result of that, 2000 megawatts of supply was taken out of the system. It is fortunate that this happened at night-time, during a period where there was not peak demand. If that had happened today during peak demand times, Victoria would have suffered brownouts. There would have been reduced supply, and Victorians would not have had secure energy supplies.

Fortunately work is being done by the energy market operator, Loy Yang A and Yallourn to try to restore

capacity as soon as possible. This shows the absolute folly of the Labor Party policy to close down 2000 megawatts of brown coal power from the Latrobe Valley. If Labor Party policy had taken effect, Victoria would see the lights out — and 11 long, dark years of Labor would not just be a metaphor, it would be the reality. They were long, dark years.

Mr Nardella — On a point of order, Speaker, the minister is debating the question and is not speaking on government business. I ask you, Speaker, to bring him back to government business.

The SPEAKER — Order! I ask the member to come back to answering the question.

Mr O'BRIEN — The federal government's carbon tax policy includes a contract for closure to take out 2000 megawatts of brown-coal-fired electricity. This is an imminent threat to the security of Victoria's electricity supply. It shows the absolute folly of Labor Party policy that would sacrifice the security of our energy supplies to pursue environmental goals. We cannot afford to turn off a Hazelwood, to turn off a Yallourn or to turn off a Loy Yang A unless there is replacement baseload capacity, because otherwise the lights will go out, the jobs will go out and our standard of living will go out. It will not happen if this government has anything to do with it.

Roads: construction site safety

Mr DONNELLAN (Narre Warren North) — My question is to the Minister for Roads. I refer the minister to the deaths of 11 workers in recent years at roadside construction sites, and I ask: can the minister confirm that VicRoads is closing its audit and surveillance team, which ensures that roadside construction sites are safe, and if so, will these cuts not compromise safety?

Mr MULDER (Minister for Roads) — I thank the member for Narre Warren North for his question in relation to road safety, particularly in relation to workers in and around worksites. This matter has been canvassed in the media in relation to VicRoads surveillance work in and around the network. VicRoads has quite clearly indicated that this will not have a negative impact. In relation to the surveillance work it carries out, surveillance officers will continue to carry out that work in and around the areas where they are required at the greatest level of need. There is nothing to stop those officers being moved from within the major metropolitan network out into other areas to carry out surveillance work if they are required to do so.

Added to that, you, Speaker, would be aware that in our first term we are committed to putting in place 1700 additional police officers to be out on the roads and around roadworks and out on the broader road network carrying out the work they are required to do and also having an emphasis on being able to carry out surveillance work in and around worksites where we have particular speed zones set up to protect workers in and around those worksites. Quite obviously, as I indicated, this matter has been raised in the past. VicRoads has indicated to me that it will not have a negative impact, and it has the resources to carry out the surveillance when and where it is required. As I said to the member for Narre Warren North, this matter has been canvassed in the past.

Students: attendance

Mr BURGESS (Hastings) — My question is for the Minister for Education. Can the minister inform the house of action the coalition government is taking to ensure that children in Victoria are attending school?

Mr DIXON (Minister for Education) — I thank the member for Hastings for his question. He is a great advocate for schools in his electorate. One of the government's priorities in education is to keep our young people engaged with education —

Mr Merlino interjected.

The SPEAKER — Order! The member for Monbulk! Cut it out.

Mr DIXON — When they are at school is literally the best opportunity for them to reach their potential. The potential and the benefits are clear in a health sense, in a social sense and in an academic sense. Children really need to be at school to achieve in all those areas.

That is why before the last election we made a commitment to do absolutely everything in our power to enable school-age children to remain at school and to be engaged at school. In a proactive sense we have invested \$120 million in more primary welfare officers, so that an extra 300 primary schools will have primary welfare officers. We are also undergoing a major overhaul of student support services, where \$50 million worth of resources will go from the regions into the schools, where the schools can best interact with the students and with the families at risk.

We are also giving greater powers to our principals to maintain order at their schools and a commitment to use the current laws to issue penalties to parents who do not make reasonable efforts to allow their children to

actually attend school. Since we came to office, we have had a major review of our child protection —

Mr Merlino interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Monbulk

The SPEAKER — Order! The member for Monbulk will leave the chamber for half an hour. I warned him only a few moments ago, and he just continued on.

Honourable member for Monbulk withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Students: attendance

Questions resumed.

Mr DIXON (Minister for Education) — The Cummins report that came out of this review identified the critical importance of maintaining engagement in education for our most vulnerable children. Together with all the other work we have done and this report, these pieces of work are building a framework through which we are building student attendance.

I know that for the majority of families their children's attendance at school is valued, and parents certainly understand that. Families often, in consultation with schools, may take a family holiday, a trip around Australia or a once-in-a-lifetime trip overseas, or they may need to move for some sort of family reason. Common sense is brought to those sorts of discussions. We also understand that for some parents their children's attendance at school is a real issue, and we know that could be for mental health reasons or other quite reasonable matters. We work together with community services, with those families and with those parents.

The changes we are looking at are designed to lift attendance, not to punish. What we are doing is looking at the parents who over a long period of time have failed to allow their children to attend school for no good reason. The penalty will be issued only at the end of a long process of consultation and of proactive work, which will involve working with those families. We are working through the details of how we can best

encourage that attendance at schools at the moment, including the possibility of legislative changes. We certainly will not be — as some people have claimed we will — fining any child.

What these changes will do is to actually enable educators to allow children to remain, and to make sure they maximise the chances of children remaining, at school. That is where the best work in education is done, that is where the best social inclusion work is done and that is why we want to do everything possible in using the existing legislation, which had bipartisan support, and taking it further to the next step so that it will work and ensure that these vulnerable children will be at school as much as they possibly can be.

Higher education: Auslan programs

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. I refer the Premier to an email from the principal of Furlong Park School for Deaf Children, who has said:

My problem now is that the Auslan training course has been cut in Victoria so where do individuals go to be trained to teach the deaf?

I ask: is it not time, Premier, to reverse these TAFE cuts, or does the Premier simply agree that this is a matter of 'such is life'?

Mr BAILLIEU (Premier) — I am sorry that the Leader of the Opposition takes a political view about this issue. This issue has been raised — —

Honourable members interjecting.

The SPEAKER — Order! The house will come to order.

Mr Herbert interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Eltham

The SPEAKER — Order! The member for Eltham can leave the chamber.

Honourable member for Eltham withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Higher education: Auslan programs

Questions resumed.

Mr BAILLIEU (Premier) — As I have said, and as the minister has said, the Auslan courses are important, and the fee and funding arrangements would see funding for Auslan certificate III and IV level courses increase by 5 per cent. Kangan Institute first flagged its desire to withdraw from Auslan courses in 2010. Indeed, in November 2010 and May — —

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition asked his question. He should be quiet, or he will not hear the rest of the answer.

Mr BAILLIEU — In November 2010 and May 2011 Kangan discussed with the Department of Education and Early Childhood Development its desire to back out of this area. While encouraging Kangan to continue to provide Auslan, the education department commenced discussions with Vicdeaf in October 2011 to ensure the future delivery of Auslan in Victoria. Discussions with Vicdeaf and other possible registered training organisations are ongoing to ensure Auslan continues to be offered in Victoria.

The minister has said he will work with providers to ensure that Auslan training continues in this state. That commitment has been made on a number of occasions by the minister, and indeed I have said so. We are looking to resolve a problem that preceded any changes — —

Honourable members interjecting.

Mr BAILLIEU — The minister is working with the relevant providers to ensure that the appropriate training can continue in this state. It requires providers to make that commitment and that commitment remains.

Greyhound racing: integrity

Mr GIDLEY (Mount Waverley) — My question is to the Minister for Racing. Can the minister advise the house of action the government is taking in response to the Ombudsman's report into Greyhound Racing Victoria and the report of the racing integrity commissioner?

Dr NAPHTHINE (Minister for Racing) — I thank the member for Mount Waverley for his question. The government welcomes the tabling today of two reports: the racing integrity commissioner's report entitled *Report on Own Motion Inquiry into Betting Activities*

by *Racing Officials Employed by the Victorian Racing Industry* and the Victorian Ombudsman's report entitled *Own Motion Investigation into Greyhound Racing Victoria*.

The Victorian Ombudsman has identified longstanding serious issues with the governance at Greyhound Racing Victoria (GRV). On page 4 the Ombudsman's report identifies:

integrity issues relating to staff betting ...
... tendering and contracting practices were not compliant ...
inappropriate behaviour and practices by GRV staff.

On page 6 the report states:

... GRV has primarily engaged the same four architectural, lighting, engineering and works consultants to redevelop greyhound clubs' infrastructure for over 10 years without public tender.

On page 11 the Ombudsman reported that between 2008 and 2011 there were 11 GRV staff who breached GRV betting policies, including one person who placed more than 4400 bets totalling over half a million dollars.

It is of note and importance to the people involved in greyhound racing that on page 10 of his report the racing integrity commissioner made it clear that:

... there was no indication that the betting activities by racing officials resulted in any race being compromised ...

We had a situation where there was poor governance, inappropriate betting activity and poor tendering practices in GRV over many years, and this has been identified in the Ombudsman's report.

The member asked what action has been taken. I can advise that five of the people concerned have been terminated from their employment, five have been given a first and final warning and one has resigned. Mr Mark Dooley, who was in charge of infrastructure, resigned in late 2011; the CEO resigned in April this year; and members of this house may recall that the previous chairman of GRV resigned in June last year and was the subject of questions in this house.

These reports highlight the strong and positive steps being taken by the chair of Greyhound Racing Victoria, Peter Caillard, who has been appointed by this government to fix the problems at GRV. Both reports indicate that he has taken strong and positive steps to improve practices at Greyhound Racing Victoria.

Page 6 of the Ombudsman's report states:

GRV has engaged in a program of review and taken action to implement measures to improve GRV's compliance with statutory obligations since September 2011 following Mr Caillard's appointment as chairman ...

To assist Mr Caillard in these endeavours and to ensure that the greyhound industry has confidence in the board, I will be writing to all current board members informing them of my intention to reconstitute the board.

Greyhound racing is a great and growing industry in this state. Our government is determined to make sure the board has the right leadership, the good governance and the proper practices necessary to manage this industry. We have had too many years of mismanagement in this area. We have seen it neglected by the previous government and the previous minister. Now we have come to government, we have got these reports and we are acting on them, and our chairman is doing a good job.

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

DISTINGUISHED VISITORS

The SPEAKER — Order! I would like to welcome to the gallery Tom Wallace, the former member for Gippsland South and a member of this house for many years. Welcome, Tom. I also note that former attendant Trevor Day is in the gallery. It is nice to have you both here.

Ms Hennessy — I wish to raise a point of order, Speaker, in regard to responses to questions on notice. There are currently over 1600 questions on notice from members of the Legislative Assembly that are awaiting answers. There are almost 300 unanswered questions in my name. Many of these have been waiting since 5 April last year.

The SPEAKER — Order! This is not an appropriate time to raise this issue. It would be appropriate to raise this issue in regard to questions on notice at a later time. I am happy for the member to raise the issue, but this is not an appropriate time to do it, and nor should it be raised as a point of order. We are in the middle of debate on a bill. I am happy for the member to raise the issue; that is fine, but this is not the appropriate time to do it.

FORESTS AMENDMENT BILL 2012*Second reading***Debate resumed.**

Mr WELLER (Rodney) — It is a great privilege to talk on the Forests Amendment Bill 2012. I will just set the scene. When it comes to firewood, I am quite experienced. We cut many tonnes of firewood on Saturday and Sunday afternoons. We used to cut it for our family, including our grandparents, uncles and aunts. It used to keep our farm quite clean and tidy.

Honourable members interjecting.

Mr WELLER — We did. There was no deadwood on our farm; that is correct. In my electorate firewood is a tradition. My electorate contains the Rushworth and Heathcote areas as well as the red gum area along the Murray River. This area has been severely affected over the years. The previous government brought in its box-ironbark policies, which affected the amount of firewood that could be collected in the southern end of my electorate around the Rushworth and Heathcote areas.

A commitment was made to my electorate regarding offering gas as an alternative heating option, but unfortunately it was never delivered. This government has committed to deliver gas to Heathcote and is looking at options. There is also a \$1 million scheme to look at how to deliver gas to Murray towns like Cohuna and Nathalia.

As I said, firewood is a way of life, particularly in Heathcote. The Heathcote RSL raffles a trailer-load of firewood every Friday, and it is a good money-spinner.

An honourable member — Tickets are \$2?

Mr WELLER — It is \$2 a ticket, yes. The RSL funds lots of good organisations. Likewise, the Rushworth and District Lions Club has an annual firewood auction, the money from which it puts towards funding things like the Macedon school, the local hospitals and the community centres.

Ms Duncan interjected.

The SPEAKER — Order! The member for Macedon, this is like question time; if she keeps going she will be out.

Mr WELLER — From her contribution, the member for Bendigo West obviously has not read the bill. The member for Bendigo West made the comment that you can no longer get wood for someone else. This

bill says that indeed you can, so the member has obviously not read it. The bill says that you can indeed get wood for people who cannot get it for themselves. There is an ability for each household to get 16 tonnes a year.

The member for Bendigo West said that there are commercial operators out in designated areas cleaning them up willy-nilly. That is illegal. If the member for Bendigo West had been out there and seen it she ought to have taken a photo and got the number plates, and the government would come down on those operators like a tonne of bricks — or perhaps a tonne of firewood. If the member for Bendigo West wants to be credible and talk about problems, she needs to be a proper Victorian. If she sees something illegal, she ought to take photos so that the appropriate authorities can come down on the illegal operators like a tonne of bricks.

The bill enforces the government's commitment to making firewood collection on public land simpler and more affordable. The abolition of firewood permits reduces the burden of red tape associated with personal firewood collection and makes it easier for households to access an annual supply of firewood. The bill creates clear, legislatively defined —

Ms Duncan interjected.

Debate interrupted.**SUSPENSION OF MEMBER****Member for Macedon**

The SPEAKER — Order! The member for Macedon is going out. She can go out for an hour under standing order 124.

Honourable member for Macedon withdrew from chamber.

FORESTS AMENDMENT BILL 2012*Second reading***Debate resumed.**

Mr WELLER (Rodney) — Thank you for that protection, Speaker.

The SPEAKER — Order! I know you do not need it.

Mr WELLER — The bill creates clear, legislatively defined rules for the collection of firewood on public land without a permit. The bill includes the checks and balances needed to ensure a sustainable supply of firewood for all Victorians and appropriate environmental safeguards. The bill creates a strong deterrent for people who do not adhere to the firewood collection rules or who undertake illegal commercial firewood collection.

I turn to look at the penalties. To back up the scheme there is a range of offences with appropriate penalties, depending on the severity of the offence. The more serious offences have the same penalties as those that apply for the existing offences in the Forests Act 1958 relating to the illegal taking of forest produce — up to 50 penalty units, which is \$6107, or 1 year's imprisonment, or both. There are severe penalties there for people who want to abuse this opportunity. I again say to the member for Bendigo West that she should report the people she sees carrying out the actions she has commented on, and we will come down on them with those severe fines or imprisonment.

Firewood collection for domestic use is permitted only in designated firewood collection areas during two firewood collection seasons each year. The periods will be from 1 March to 30 June and from 1 September to 30 November. These are sensible periods, because traditionally in Victoria between 30 June and 1 September it will be too wet and someone will do environmental damage by going into areas, cutting them up and getting bogged. It could be a frustrating experience. The other problem is that from 30 November until 1 March — —

Mr Madden interjected.

Mr WELLER — The government does know what it is doing. The member for Essendon says that the government knows what it is doing, and I agree: this government does know what it is doing. We do not have firewood collection in the summertime because there can be a fire risk. It is indeed sensible that we have the two designated periods in which people can collect firewood. It is also appropriate that it be done in designated areas, because the departmental staff can visit those areas and observe that people are taking no more than 2 cubic metres of wood a day and are not taking any more than 16 cubic metres of wood a year.

In the interests of managing the limited supplies of firewood in some areas over the long term, if there are designated areas in forests, those designated areas will change — they will be managed in a sustainable fashion so there can be long-term use of the firewood.

Houses and homes in our area depend on it. In our area the likes of Cohuna, Leitchville, Gunbower, Nathalia and Picola do not have the option of using natural gas, so firewood is the cheapest source of heating for them. It is an area where they have traditionally used it. There are still people in houses in towns like Echuca, Rochester and Kyabram who like to use firewood, and they should be allowed to have firewood.

Why have domestic firewood permits been abolished? This government committed to reducing red tape, and this is actually reducing red tape. Will the new scheme lead to a free-for-all? We have heard the member for Bendigo West suggest that it will be a free-for-all. It will not be a free-for-all. As I said, there will be a limit of 2 cubic metres per day; it has to be done in a designated area; it has to be from a tree that has either fallen or been felled; and you cannot take hollow logs — the hollow logs are habitat — or logs that have moss growing on them. The habitat is important. Of course there will be people there to make sure these behaviours are adhered to.

In summary, the bill abolishes the need for domestic firewood permits, which takes away red tape; establishes two firewood collection seasons at suitable times of the year; establishes a process for designating firewood collection areas in state forests and those regional parks where firewood collection is currently allowed; provides the flexibility to ensure that firewood supply can be managed over the long term and that local needs and unforeseen circumstances are able to be dealt with; imposes rules on what may be collected, when it may be collected, how much may be collected and who may collect it via a series of provisions; and allows additional rules to be imposed through regulation on aspects of how the collection may be carried out. Again we are cleaning up a mess that has been left to us by the previous government.

Mr LIM (Clayton) — I rise to make my contribution to debate on the Forests Amendment Bill 2012. This government is quickly writing its own epitaph, an epitaph which will read, 'This was a slash-and-burn government'. Whether it be in relation to the budget and jobs and vital programs such as in TAFE, whether it be in relation to the environment and the alpine national parks or the sustainability of forests and their ecosystems, this government knows only the heavy-handed approach of slash and burn. This government is full of economic, social and environmental vandals.

If the first principle of government is to do no harm, then this bill fails the test. The minister for the environment should be just that: for the environment,

not against the environment. If members of the public are to be permitted to collect firewood from forests and state parks then a strong licensing system is needed to underpin that permission with a view to minimising the damage to the environment. But this bill does away with any sort of permit system and replaces it with a set of rules. These rules are largely an honour system. Add to that the fact that this government is sacking its staff, which means it is likely there will be less staff to both measure the impact on the environment and deal with compliance. These rules will be largely unenforceable.

Households will be allowed to collect up to 2 cubic metres per day and 16 cubic metres per financial year. A standard trailer is said to hold about 0.7 cubic metres, but let us be generous and say that it is 16 trailer loads per year. How can this be anything other than an honour system? As collectors will be burning firewood in the colder spring and autumn months when they are entitled to collect it, it will be impossible to tell how much was collected in a given period. I question whether this is sustainable, although the minister seems to think it is. Unfortunately the minister's idea of sustainability is limited to sustaining the availability of firewood. He has no commitment to sustaining the environment.

Do you know how many times the Minister for Environment and Climate Change used the word 'environment' in his second-reading speech? Not even once. There is nothing in his speech that demonstrates that any regard has been given to the environmental impact of collecting and burning firewood. Where is the science that shows there will be no harmful effects caused to the environment with the passage of this bill? Just as he showed with cattle grazing in the Alpine National Park, the minister does not want to know about the science.

I have had a look at several peer-reviewed journals. For example, I refer to a longitudinal study of landscape matrix effects on fauna, with statistically valid and reliable results, which was published in 2001 by the respected journal *Biological Conservation*. On page 158 the article states that many woodlands have been found to be highly degraded as a result of human disturbance through activities such as livestock grazing, tree removal — such as for firewood — and mining. The clearing of woodlands and their ongoing degradation has had a negative impact on groups such as plants, invertebrates, reptiles and mammals. In other words, this article is saying clearly that collecting firewood affects all types of animal life and plants.

On page 164 the article states:

Activities like clearing, grazing-related degradation and firewood collection can reduce the size of remnant woodlands and remove trees with hollows and dead stems, and so reduce

the woodland fauna. In woodlands large dead trees, including many which contain hollows, are often those selected for firewood collection.

In another article, headed 'The burning issue', Kellee Nolan writing in the journal *Habitat Australia* had this to say:

The burning issue: log fires conjure feelings of warmth and cosiness, but the impact of the cutting and collection of firewood is far from that for our native animals.

Further in the article the author says about firewood:

Its cutting and collection is recognised as one of the main threats to about 20 species of birds, such as the barking owl, as well as some marsupials, like the tree-dwelling Tuan.

The loss of big old trees with nesting hollows, the removal of bark and log homes for insects and their predators and the loss of nutrients in the ecosystem are all caused by firewood cutting and collecting.

The other environmental impact on which the minister is silent concerns air pollution. Even newer wood heaters have seriously failed audits. In an article titled 'Emission auditing of new wood heaters in Australia and New Zealand', published in the journal *Clean Air and Environmental Quality*, John Todd had this to say about wood heaters:

Only five retail models (11 per cent) matched engineering drawings and had correct labelling;

...

33 retail models (70 per cent) had design differences which might increase emissions; of these 23 (47 per cent) had reduced minimum combustion air; and six (13 per cent) had changes to the baffle; other changes identified in the audit included firebricks, convection fans, water heating attachments and combustion chamber dimensions.

Thus, the design verification audit, which is relatively quick and inexpensive to do (provided original engineering drawings are available), showed that more than two-thirds of popular retail models differed from the tested model in ways that might increase emissions. It also showed widespread failure to comply with labelling requirements set out in the standards.

People who enjoy a log fire need to understand that it comes at a cost to the environment. For those who collect firewood as a cheap source of heating fuel, the government needs to start meeting its election commitment to reduce the cost of utility charges. For those who care about the environment, it is very sad that this bill could be introduced by a minister for the environment.

Debate adjourned on motion of Ms McLEISH (Seymour).

Debate adjourned until later this day.

RESIDENTIAL TENANCIES AMENDMENT BILL 2012

Second reading

**Debate resumed from 23 May; motion of
Mr O'BRIEN (Minister for Consumer Affairs).**

Ms D'AMBROSIO (Mill Park) — I rise to speak on the Residential Tenancies Amendment Bill 2012. The bill seeks to clarify existing provisions of the Residential Tenancies Act 1997, but it also seeks to make some changes to facilitate or improve the administration of bond moneys between the Residential Tenancies Bond Authority and the director of housing. The bill also seeks to make some technical and minor amendments to the Consumer Affairs Legislation Amendment (Reform) Act 2010.

I will begin with the principal aim of the bill, which relates to the Residential Tenancies Act 1997. The bill seeks to clarify the trigger points for the issuing by a landlord of a notice to vacate to a tenant, and for the issuing by a tenant of a notice of intention to vacate to a landlord. It seeks to make it clear that a landlord may choose to issue a notice to vacate to a tenant on the occurrence of a third breach of the same duty — that is, a consequential breach. Equally it seeks to make it clear that a tenant may choose to issue a notice of intention to vacate to a landlord on the occurrence of a third breach of the same duty. The two parties are treated equally. The bill does not require either party to take such action in these circumstances. It allows the parties the choice of issuing a third breach of duty notice instead of a notice to vacate or a notice of intention to vacate on the occasion of the third breach of the same duty.

In the departmental briefing that was provided to members of the opposition, we were advised that the Victorian Civil and Administrative Tribunal had ruled, on a couple of occasions at least, that a provision in the existing act, the Residential Tenancies Act 1997, means that the third breach of duty notice must expire without compliance before a notice to vacate or a notice of intention to vacate can be issued. It was put to us that the original intention of the legislation is very much different to how it has been interpreted by VCAT.

We sought from the department some examples of where landlords and tenants have raised issues or have been confused in their interpretation of their responsibilities or rights and where VCAT has ruled in the way described to us. Two residential tenancy cases were cited: *Burwah Holdings Pty Ltd v. McLaren*, 30 April 2009, and *Leonard and Pekar v. Tein and Cheng*, 10 October 1998. The opposition sought the

views of the Real Estate Institute of Victoria and the Tenants Union of Victoria. Neither has any concern about this clarification and neither does the opposition. However, the opposition does seek from the minister information as to how this change will be communicated to tenants and landlords.

We certainly expect that when this bill is passed by Parliament, Consumer Affairs Victoria will post the relevant changes on its website, but this should not be the only way of communicating such an important clarification or change. Estate agents, the Real Estate Institute of Victoria, the Tenants Union of Victoria and other consumer advocacy groups would no doubt appreciate some written explanation of the changes. I say that also in the light of the fact that it seems to the opposition that no real consultation has occurred on the contents of the bill. We have been advised differently by the department; however, when we spoke with the Tenants Union of Victoria we were told it was alerted that some bill would be introduced at some stage but the actual content of the bill and the merits thereof were not canvassed with the organisation. It is important that the government take the opportunity to be clear and direct in its communications with key stakeholders.

I move to another provision of the bill, which deals with incomplete bond claim forms. The bill will prohibit a landlord from seeking or obtaining a tenant's signature on a blank bond claim application form where no amount of bond is specified. The bill establishes a breach of this requirement as an offence with a maximum of 20 penalty units. We have been told that this provision is a response to disputes about the amount of bond that is to be refunded, or the portion thereof, at the end of a rental agreement. These misunderstandings or disagreements seem to have arisen where landlords have sought and received tenants' signatures on bond claim application forms that have not stipulated the amount of bond paid. That is obviously a concern, and if there is an opportunity to correct that for the benefit of all parties, that would be a positive. I hope this provision will reduce misunderstandings and conflict.

We have been informed that the Residential Tenancies Bond Authority has received many complaints from tenants who may have been subjected to this practice by landlords and who have subsequently been aggrieved when a tenancy has expired and there has been disputation over the amount of bond money that has been agreed to in the first instance and the portion that could potentially be redistributed. This is a good amendment.

The bill also facilitates administrative arrangements between the Residential Tenancies Bond Authority and the director of housing. The current legislation gives effect to the reimbursement of unclaimed bond loans by the bond authority to the director of housing, and it does that by requiring the approval of both the tenant and the landlord at the expiry of the tenancy. It is not always the case that once a tenancy has expired there is a financial interest on the part of either the landlord or the tenant that is derived from fulfilling the processing of the bond as it stands. Sometimes, therefore, it can be difficult to obtain the approval of both parties. Some people, frankly, do move on. A tenancy may have expired and the tenants moved on to new premises or in fact the landlord may have a new tenant in place. Sometimes, if there is no direct financial benefit to be obtained by either the landlord or the tenant, it can prove difficult to finalise the necessary paperwork to give effect to the transfer of any remaining bond money from the bond authority to the director of housing.

We are advised that currently approximately \$740 000 in unclaimed bond loans is held by the bond authority. The bill seeks to provide for the direct return of any unclaimed bond loans to the director of housing by the authority. The bond authority will be able to make a direct payment to the director of housing under certain circumstances. Those circumstances protect the interests that may exist — but not always — of both the tenant and the landlord. The circumstances are, for a start, that a new bond has been paid for a different tenancy of the property, meaning the old tenant has moved on after the expiry of the tenancy and a new tenancy agreement has been reached with a different party; and that no application has been made for a refund against the original bond within a 12-month period of the new bond having been paid. Under these circumstances the bond authority may be able to directly return any unused or portions of unused bond loans to the director of housing.

This is an important protection. The 12-month period should provide sufficient opportunity for any residual claims against the bond money that may be made. We believe on the surface of it that is a sufficient protection, but certainly we would like to keep an open mind until we see how it plays out in actuality. I think it is important for us to be flexible in that regard. Nevertheless it is an important protection that is there, and we certainly trust that this will make it easier for bond loan moneys to be returned to the director of housing.

I will explain the situation of bond loans and how they can be made available, because the bill also seeks to make it easier for tenants to be reimbursed bond loan

money in certain circumstances. Bond loans can be made available for tenants who would otherwise miss out on securing a tenancy and of course are for prospective tenants who have an incapacity, if you like, to pay a bond or who would suffer great financial distress if they were to pay one.

Sometimes a tenant may feel the need to pay a bond in advance of a bond loan being forwarded for them in order to secure a tenancy and then seek to be reimbursed in full or in part from the director of housing. This is important because the rental market is not an easy one to navigate. Certainly there is a lot of stress out there, and often tenants will exercise this option if they are in a position to do so. What is imperative is that they have timely reimbursement of the bond loan in part or in full — whatever they qualify for. This bill of course does not go to any qualification matters; this is simply a way of streamlining the process whereby tenants can have the bond loan or part thereof reimbursed.

Eligible tenants have up until now needed the landlord's signature on a form before they could be reimbursed. Some tenants have expressed that they have had difficulty in gaining the cooperation of their landlords and have suffered frustration due to delays in having that money reimbursed. We have to remember that it is people who can least afford to pay bonds who qualify for the loans. The issue of frustration in terms of getting reimbursed needs to be addressed, and I believe that this bill does seek to do that.

The bill will remove the requirement for a landlord's signature to be obtained by the tenant. Previously a tenant has been required to obtain a landlord's signature for a bond substitution application. The bond authority will now carry the responsibility of refunding the full or part amount of the bond paid by the tenant and substituting that same amount as a bond loan from the director of housing. This is a sensible and helpful change that will enable the bond authority to substitute the bond or part of the bond paid by the tenant with a bond loan from the director of housing. These are important changes, which are administrative in nature but which nevertheless will assist those who have been shown, in information provided by the department, to require them.

I wish to enter into a couple of areas of the bill and place some concerns on record. A couple of concerns have been raised with me by the Tenants Union of Victoria. I suppose they are matters on which I am seeking clarification from the minister. I certainly hope the minister does choose for the first time ever to sum up on this bill and provide responses to these questions.

I find it quite interesting that the minister was happy to sum up on his motion on the carbon price but has failed to sum up on any bill that he has brought to this house in the almost two years that he has been a minister. I ask him to reflect on that and hopefully change his mind. This would be a good bill for him to change his practice on.

I turn to clause 19 of the bill, which inserts proposed section 411B(3) into the act. I have sought answers to this question in the second-reading speech, but there are not any, therefore I am raising this. This provision relates to where the bond authority would pay out remaining bond money to a tenant. Unlike the rest of the bill, this provision allows for discretion to be exercised. It says that 'the authority may pay to the tenant the remaining amount of bond'.

As I said, there is no reference in the second-reading speech to the circumstances under which a tenant's money would not be repaid. For example, if the authority did not have an address or was unable to contact a tenant, it might be considered that that could be a set of circumstances under which moneys might not be returned. However, that is not clear in the bill, and it is not touched on at all in the second-reading speech. I ask the minister to explain why there is this discretion and why proposed section 411B(3) inserted by the bill allows for this discretion without any limitations whatsoever being placed on it, which could cause a tenant to have their remaining bond unreasonably withheld.

As an opposition we are very concerned that everything is done within reason and that any bond money or part thereof that needs to be returned to the tenant is returned. It would be helpful to the opposition if the minister could explain why there is this discretion and why the circumstances where a tenant might not have the remaining bond returned are not explained. That explanation is important.

Clause 22 of the bill is another area of concern. I think the minister could ably and quite easily clarify this on the record so that it appears in *Hansard*. This provision deals with how the bond authority is to pay the director of housing any remaining bond loan when a tenancy agreement has expired. Sometimes a tenant pays part of a bond and the remaining part is paid to the bond authority by the director of housing. Eligibility for a bond loan depends on what criteria are met by the tenant. Where the tenant or landlord does not claim the bond and a tenancy agreement has expired, the bill allows the authority to pay the director of housing any remaining bond loan money that was paid by the director of housing. This provision allows the landlord

to sign over the remaining bond money to the director of housing. However, the provision does not make it clear that what can be paid to the director of housing is only any remaining portion of the bond money that the director of housing originally paid to the authority. That would be a situation where the tenant has been responsible for paying part of the bond and the remaining part has been paid as a bond loan by the director of housing.

The opposition understands why this provision has been included. However, it could have been much better phrased and structured to prevent this potential misunderstanding of its intent. The way the provision is drafted could hypothetically enable the landlord to sign over all of the remaining bond money, including any component which belongs to the tenant. I do not imagine that that would happen deliberately, but it is important that our laws reflect the intentions of our government and the intentions of our Parliament. If it means that we reduce misunderstanding, then it is important that the minister should sum up and clarify for the house that this provision does not mean what it can be interpreted to mean, which is the hypothetical situation I put forward. I have looked at the second-reading speech, and there is nothing in it which clarifies this or explains what the intention of this provision is. If it was in the second-reading speech, I do not think I would have an argument. Certainly there would be no cause for alarm on the part of the opposition.

This is yet another example of the failure of the Minister for Consumer Affairs to pay attention to the detail of his bills. A number of bills have been presented under the consumer affairs portfolio, and not one has appeared without issues that have had to be raised by the opposition. It really comes down to a lack of attention to detail. That is not suitable, especially when it can lead to misunderstanding and unnecessary disputation, especially in a situation involving tenancies. It could potentially lead to the diminution of consumer protections for tenants.

Failing any satisfactory explanation or assurances from the minister about presenting and summing up — he may surprise us; he may come in and sum up and explain these matters — the opposition reserves its right, which it always has, to seek to consider these issues further by way of amendment or by seeking an explanation from the minister's representative in the upper house. I certainly hope, though, that before the end of this sitting week the minister will respond to the concerns that have been raised about these two clauses.

I now move on to a small technical amendment to the Consumer Affairs Legislation Amendment (Reform) Act 2010. This provision simply enables all provisions of that legislation to take effect before the amending legislation is repealed automatically. It is a bit of a safeguard, which certainly does not raise a quibble on our part.

I will now make some broad comments about the bill, its policy flavours and objectives. It seems to me that the provisions of this bill are fairly much driven by the department rather than by the minister. It seems as though it is very much a tidying-up bill — the tightening up of a screw here, the loosening of some restrictions elsewhere and the facilitating of administrative processes across departmental agencies. That is fine; it is all well and good. We welcome any improvements for efficiency's sake and for clarity in terms of legislation and consumer rights or responsibilities, but at a time when so much more could be done by this government, we have a bill that makes minimal changes.

One area that certainly comes to mind and is certainly reflected in the bill, but only to the extent of the provisions I have referred to, is rooming houses. The previous government had a strong and proud record of reform in that area, and I acknowledge the presence of the former Minister for Housing, who is also at the table. I acknowledge and congratulate him on the fine work he did with the previous Minister for Consumer Affairs in delivering a strong reformist agenda to increase the number of rooming houses — that is, affordable accommodation for the most vulnerable members of our community.

It would have been good if this bill had continued the reforms that were started by the previous government. I am aware that the coalition, in the 18 months it has been in power, has presented a regulatory impact statement for some very bare minimum standards when it comes to rooming house reform. I refer to tenants in residential accommodation or rooming houses. This bill would have been a prime opportunity to add to the body of work that has been done to date. Instead we have had a skeletal approach, a bare minimum response by this government to the most needy of consumers.

I also reflect on the fact that in the second-reading speech the minister says that the cleaning up of this legislation will 'assist low-income renters to secure access to rental accommodation'. I further reflect on the missed opportunity this bill represents in the way it has been presented to this house. If the government were serious about doing something progressive to assist low-income renters, it would certainly be doing far

more than introducing what is essentially a department-driven bill to tidy up the legislation. I say that genuinely and sincerely, and I would hope that we see a different approach in the not-too-distant future to correct what has been a poor set of reforms exercised by this government in the past 18 months.

We need to ensure that more is done in this area. I say to the minister that the opportunity is there and that the opposition is prepared, willing and happy to further the reforms commenced by the previous government. We have only to reflect on the median weekly rent in Melbourne, which has increased to about \$350 per week, and in regional Victoria, which has increased to about \$260, to see that those figures represent an annual percentage increase of 2.9 per cent and 4.6 per cent respectively, and that is quite stark.

We need to look at the other actions of the government in terms of dealing with low-income renters. It is important to reflect on the record of this government, which is quite poor. The government has failed to invest in public and social housing, and it has cut funding in several areas of the housing portfolio. I know that the shadow Minister for Housing may wish to elaborate on that when he has an opportunity to speak on this bill. It is important for us to reflect on the fact that this type of double standard when it comes to protecting low-income earners and tenants should not be tolerated or left without comment. Although this bill does some good things that are positive, this kind of perfunctory bill is certainly not a replacement for fulfilling an election commitment to reduce cost of living pressures, which this government has walked away from. It has certainly walked away from investment in housing initiatives and in helping consumers deal with a costly property market.

We know, for example, that Kids Under Cover received \$2.2 million to help young people and that the Consumer Action Law Centre received a certain amount of money for financial counselling services. However, in the budget there is a \$33 million cut to the funding of grants for property-related consumer protection. This is what the government has delivered, and it is something the government will have to explain as its legacy. I certainly hope that, for a change, the minister will come into this house to deal with matters that have been raised. I hope he does the right thing, stands by his bill and explains why it is deficient and what he should do to remedy those two particular sections. The opposition does not oppose the bill but, as I said, may reserve its right to consider some changes when it reaches the upper house.

Mr NORTHE (Morwell) — It gives me pleasure to rise this afternoon to speak on the Residential Tenancies Amendment Bill 2012. This bill is for an act to amend the Residential Tenancies Act 1997 to make further provision for matters relating to bonds and duty provisions and for other purposes. We come into this place to debate legislation and that is what we are doing this afternoon. With respect to the contribution from the member for Mill Park, I must say that at about the halfway mark — the 15 minute mark — I would have said that it was a fine contribution from somebody who really understood the legislation and was fair and reasonable, but I am not quite sure where it went to after that.

There are five key aspects of this legislation which I will address today. Firstly, the main provision is to provide clarity around when a notice to vacate or a notice of intention to vacate can be issued, and that is on the third successive breach of a duty provision. Secondly, the bill prohibits a landlord or an agent from obtaining or requesting a tenant's signature on a bond claim form unless the bond repayment amounts have first been entered on that form. Thirdly, the bill strengthens the obligations of a landlord when lodging a bond with the RTBA (Residential Tenancies Bond Authority) — and I will refer to the RTBA in future comments — and provides that part payments or instalment payments must also be lodged when the payment is received and not delayed until the final total amount has been received. Fourthly, with respect to bond loans, the bill provides for facilitation of the substitution of a private payment of a bond with a bond loan that has been provided by the director of housing. Fifthly, the bill will enable unclaimed bond moneys that have been provided by the director of housing and held by the RTBA to be repaid directly to the director of housing, which currently is not what happens.

It is probably worthwhile defining what breaches of duty are. They may be breaches by tenants or in certain cases by landlords. From a tenant's perspective, breaches may occur with respect to not keeping the premises clean, installing fixtures or other items without consent, altering, renovating or adding to the premises without consent, failing to restore premises to prior condition or changing locks without consent. Those types of acts can cause breaches. From a landlord's perspective, it could be things such as not maintaining the premises in good repair or not providing locks or keys to tenants.

Section 208 of the principal act refers to where and how a notice may be issued with respect to a breach. A notice would obviously have to specify what the breach is and give details of what the loss or damage might be,

how the breach will be remedied and if there are any compensation arrangements with respect to that. A notice to vacate or a notice of intention to vacate may be served if a similar breach is committed in the future. Unfortunately, as the member for Mill Park mentioned, there is a lack of clarity with respect to how many breaches can occur before a notice is served. This was raised by the Victorian Civil and Administrative Tribunal in a couple of cases that the member for Mill Park referred to. So — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Weller) — Order! This is quite a valuable contribution, and there is too much audible chatter in the chamber.

Mr NORTHE — Yes, it is a very valuable contribution; thank you, Acting Speaker. The amendments we are proposing provide clarity in that situation and make it clear when a notice to vacate or a notice of intention to vacate may be served by a person who is owed a duty — on the proviso, though, that that person has served a breach of duty notice for the same duty on two previous occasions. However, we have also ensured that the third breach of duty notice remains as an option for people who might want to use it. In this example, the third notice would need to expire before a notice to vacate or a notice of intention to vacate was issued.

As I understand it, the RTBA has around 30 to 40 complaints per week from tenants with respect to incomplete bond forms — that is, where a landlord or an agent has secured a tenant's signature on a bond claim form that is either incomplete or blank. Members can imagine the number of issues that would arise if this form were completed after it was signed and those details were incorrect or figures had been altered. The amendments we are proposing here will make it an offence for a landlord or a landlord's agent to obtain a tenant signature on a bond claim form unless the amount has first been entered on that bond claim form. That is a sensible provision that we believe will reduce a lot of heartache should there be any disputes down the track.

The issue in relation to the part payment of a bond occurs when a landlord does not lodge a bond with the RTBA despite receiving either a part payment or an instalment payment. Again, in this particular scenario if things go wrong and there is a dispute as a consequence of that, the fallout would be quite profound. This bill strengthens the legislation in that regard and makes it clearer. There may be landlords out there who might not consider it necessary to lodge a form until full

payment is received. What we are doing as a government through this provision is making it very clear that when a part payment or instalment payment is received, a form must be lodged with the RTBA. That is another sensible provision that makes this requirement very clear under the act.

With respect to director of housing bond loans, what we are doing here is enabling the substitution of a private payment of a bond with a bond loan provided by the director of housing. As the member for Mill Park mentioned, there are many vulnerable and disadvantaged tenants, and in some cases they are eligible to access bond loans from the director of housing, which is very important. In some cases the bond may be paid by the tenants themselves, particularly if they are desperate to secure a tenancy. In some circumstances there may be a part payment or even a full payment of that bond. However, if, for example, an eligible tenant wants to swap the bond with a bond loan from the director of housing, then the landlord authority is currently required to do that. Again, as the member from Mill Park said, this can cause much consternation. Is there desire or will on the part of the landlord to actually pursue this with any vigour? The jury is out on this. These amendments remove this requirement and allow the RTBA to notify the landlord rather than require the landlord to give authority for this particular substitution. That is another sensible provision.

Lastly, I want to talk about unclaimed bond moneys, to which I referred earlier. Somewhere in the vicinity of \$740 000 currently sits with the RTBA and there is no legislative mechanism currently available for this to be transferred back to the director of housing, so this is a vitally important provision that enables us to keep up bond loan availability for eligible tenants. The current situation compromises the issue of new loans. This bill will enable the RTBA to refund a loan to the director of housing in certain circumstances — and I must say ‘in certain circumstances’. The member for Mill Park referred to those circumstances in her contribution. Basically if a new bond is received for a different tenancy on the same premises and no application for a refund of that premises’ bond has been made within 12 months of the date of receipt of the new bond, then the RTBA can make payment back to the director of housing.

I have just outlined five of this bill’s provisions, and I think they are very sensible provisions. I am pleased to see that the member for Mill Park and indeed other opposition members seemed to speak very strongly in support of these five provisions. This is a win-win scenario for all those affected by these provisions,

whether tenant or landlord, and I commend the bill to the house.

Mr WYNNE (Richmond) — I rise to make a contribution to debate on the Residential Tenancies Amendment Bill 2012. In doing so I acknowledge the excellent and thorough contribution made by my colleague the member for Mill Park. As always, she made a professional and thorough presentation to debate on the bill on behalf of the opposition.

The member for Mill Park indicated at the start of her contribution that the opposition does not oppose this bill, but in doing so she raised a couple of quite important issues about which opposition members seek clarification from the government. We hope that the minister will come into the house to sum up on the bill and at that time or when the bill is between houses provide clarification on the two clauses the member for Mill Park has drawn attention to. They are specifically clause 19, which inserts new section 411B(3) into the act, and clause 22. We hope the minister will do this because we have rarely — at least in my experience in this house — had any major disputation or departure across the chamber when it comes to addressing residential tenancy matters.

I think we have a very appropriate and robust residential tenancy framework in Victoria. In my previous time as the Minister for Housing — although residential tenancy matters now come under the responsibility of the Minister for Consumer Affairs — my sense of this issue and the feedback I received was that we have one of the most robust frameworks of any state in Australia and, I submit also, one of the fairest. It is most important that the framework is robust, fair and independent and that there is a process through VCAT (Victorian Civil and Administrative Tribunal) by which parties, either tenant or landlord, can seek a remedy in relation to tenancy matters so that they can be addressed in essentially a non-legalistic environment where both parties can, if the need arises, be in a position to present their respective grievances before an independent tribunal and have the matter addressed.

As the member for Mill Park rightly indicated, in one respect these are relatively straightforward amendments which I understand have been driven by the department, which has picked up a range of anomalies it seeks to have addressed through this bill. The first of these anomalies relates to potential breaches of duty, whether they be by the landlord or the tenant. In that context we note that the Victorian Civil and Administrative Tribunal has interpreted the existing legislation as requiring the service and expiry of a third breach of duty notice before — I repeat before — a

notice to vacate or a notice of intention to vacate can be served.

I do not think this was ever the intent of the legislation, and in the second-reading speech the government indicates that the amendment we are debating here, which we do not oppose and which is introduced in the bill, makes it clear that a notice to vacate or a notice of intention to vacate may be served by a person who is owed a duty, provided that person has served a breach of duty notice for a breach of the same duty on two previous occasions. I think that sets a level of clarity for VCAT and, as I indicated, for both the tenant and the landlord on what the ground rules are. From now on the circumstances under which action on a breach can be implemented will be very clear to VCAT.

The second amendment goes to the question of bonds. It is in that context, as my colleague the member for Mill Park indicated in her very comprehensive review of the bill, that this amendment is again clearing up a range of essentially technical matters, but matters which are quite important in the day-to-day operation of the rental market. As many members would know, whilst the private rental market has come off a little from what have been historically low vacancy rates of less than 1 per cent and has eased off a bit over the last 12 months, if you are a low-income person your capacity to garner a property in the private rental market remains an extraordinary challenge.

I invite members, if they have the opportunity and are interested, to have a look at a report by Anglicare which was published in the last four to six weeks. Anglicare did a summary of available rental properties across Australia but significantly in the Sydney and Melbourne private rental market. It reviewed something in the order of 20 000 properties that were available. It was a snapshot of those two markets. The extraordinary outcome of Anglicare's work was that in those two major metropolises there were quite literally less than 100 private rental units that would be potentially accessible to low-income people. This is the stark reality of what people are confronting in the two major conurbations of the Sydney and Melbourne private rental markets.

It is a very sobering report by Anglicare, and I recommend it to anyone who is interested because it sets out what is an extraordinary challenge ahead for governments, both federal and state. There is, as we know, an interplay between the two — the commonwealth through rent assistance and the state through the provision of public and social housing, the provisions of the framework of the Residential

Tenancies Act 1997 and the proposed amendments which we are debating here today.

I note that the breach of duty provisions relate to rooming houses, and again, as the member for Mill Park so eloquently and kindly indicated, a range of initiatives were implemented by the previous government in relation to minimum standards for rooming houses. I acknowledge the fantastic work that was undertaken by the member for Albert Park, who really led much of that reform work. I indicate that it is very disappointing that this government has now been in power for coming up to two years, that the Foley review of minimum standards for rooming houses was completed in late 2009 and was adopted by the then government, yet it was only in March of this year that this government completed a regulatory impact statement on minimum standards for rooming houses. It has gazetted a range of minimum standards that rooming house operators will have to comply with in the future, but they will not be implemented before March 2013. It will be in excess of four years since the rooming house standards task force did its work and the then government agreed to those minimum standards.

We are not talking about major reforms; we are talking about the most basic conditions that one would expect in a civil society. The minimum standards include that for residents' rooms:

any door used for entry to or exit from a resident's room must be fitted with a lock that is operated by a key ...

a resident's room must have at least two working power outlets

residents' windows must have a covering —

a blind that can be open and shut. The conditions for bathrooms include that:

a shared bathroom or toilet must be fitted with a privacy latch —

so that no-one can burst in on you.

They are the most basic things that we would expect in this community, and it will be March 2013 — more than four years after the former government agreed to the task force recommendations — before this government will implement those most basic conditions. The fundamental thing is that this government has failed in the most important recommendation, which was to register rooming house businesses under the Business Licensing Authority — and shame on it for that!

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

Ms WREFORD (Mordialloc) — I rise to speak in support of the Residential Tenancies Amendment Bill 2012, which amends the Residential Tenancies Act 1997. Although the bill contains modest and largely technical amendments, its introduction is designed to improve the effective operation of residential tenancies legislation. It is about assistance and clarification for both landlords and renters. As members know, many renters are the most disadvantaged and vulnerable people in our community. The majority of the changes are being made in response to identified problem areas in the legislation, and therefore the implementation of the amendments is likely to reduce the number of disputes between landlords and tenants.

Essentially this bill clarifies that a notice to vacate or a notice of intention to vacate can be served following a third successive breach of duty provisions. It tidies up bond procedures by prohibiting a landlord or agent from requesting or obtaining a tenant's signature for a bond claim form unless the bond repayment amounts have first been entered onto the form. It also extends the duty of a landlord to lodge a bond with the Residential Tenancies Bond Authority to include the lodgement of part payments or instalments of payments of a bond. It facilitates the substitution of a private payment of a bond with a bond loan from the director of housing. It also enables unclaimed bond moneys provided by the director of housing and held by the RTBA to be repaid to the director.

The bill applies to rented premises, including a room in a rooming house or at a caravan park site. Tenants have duties, and they are to maintain the premises appropriately, to not cause damage, to not cause a nuisance or interference, to provide certain information and to ensure quiet enjoyment. If these duties are breached, the landlord may issue a breach of duty notice. The notice outlines the breach and specifies the action required to be taken to remedy the breach. It may also include reference to actions that are pending should the required actions in the notice not be met or the behaviours be repeated.

The breach of duty notice may include a notice to vacate or a notice of intention to vacate. Depending on the severity of the breach, generally the 'three strikes and you're out' principle applies. However, the existing legislation has a flaw that has been highlighted by the Victorian Civil and Administrative Tribunal. It does not say precisely 'three strikes and you're out'; in fact VCAT has interpreted it to mean that if it has not been complied with after the compliance time on the third breach has expired, a notice may be served. This in effect makes it '3.5 or 4 or 5 strikes and you're out', and a lot of damage can be done during the time that

those extra strikes are made. The amendment made by the bill gives a landlord the opportunity to serve a notice on the third strike if they so choose. It preserves the choice, should the landlord desire to exercise it, to issue the third breach of duty notice with a time frame and conditions.

The bill also amends part 10 of the principal act in relation to bonds. Currently when a bond is paid to a landlord in instalments or part payments it is not uncommon for the landlord to hold the partial bond payments and place the funds with the Residential Tenancies Bond Authority only when the entire bond is collected. This creates a problem if documentation is lacking in the event that the full bond is not collected. This amendment provides that instalments and part payments of bonds must be lodged.

In addition, the amendment to part 10 improves the system of bond repayment. Frequently tenants who are leaving sign bond claim application forms that do not yet have an agreed figure on them. Cases have arisen where tenants have signed the form without a figure and then received less than they expected. The amendment requires that the landlord provide that figure before the tenant signs so that there is no dispute down the track.

Furthermore, the amendment cleans up some issues regarding bond loans made by the director of housing. The director of housing may choose to provide a loan for all or part of a bond for someone on a low income. This certainly has advantages for people who clearly need that sort of service. Sometimes an eligible tenant may pay the bond to secure the rental but be reimbursed through a loan. Currently that requires the landlord's signature, which can be hard to obtain and is quite unnecessary. This amendment removes the requirement for the landlord to sign.

The amendment also straightens out the process for returning the bond loan to the director of housing. Currently the act requires the landlord and the tenant to sign a joint application. Because there is no gain in it for the tenant or the landlord, the signatures are often not provided, and the result is that \$740 000 in bond loans are currently frozen. Labor members obviously did not know that that money existed, otherwise they would have pinched it and added to their herd of white elephants. Just imagine what could be done with \$740 000 — but it would have bought Labor members only a small white elephant. They would probably have to blow the money on a technological farce, like an IT database perhaps to catalogue Labor's history of white elephants and IT stuff-ups such as myki, the desal plant and the LEAP database.

Anyway, getting back to the bill — —

Ms D'Ambrosio — On a point of order, Acting Speaker, surely the member is not actually discussing the bill. She really needs to come back to the content of the bill.

The ACTING SPEAKER (Mr Weller) — Order! I note that the lead speakers have had a little bit more discretion than others, and I ask the member to come back to the bill.

Ms WREFORD — As I will. Anyway, \$740 000 in bond loans is in fact frozen. The amendment to part 10 of the principal act allows loans to be released to the director of housing if no application for a bond refund has been made within 12 months of the receipt of a new bond for that address. Importantly, the government is not wasting that money on white elephants. We are returning it to the director of housing to cover future bond loans.

It is important to recognise in the light of the imminent arrival of a carbon tax that more people will need support, especially those who are most vulnerable. Many of them are renters. This part of the amendment bill makes a slight change, so that when a bond refund is sought, only the signature of the landlord is required. Finally, this amendment bill automatically repeals the old aspects of the act once the new provisions are in place. These are very sensible changes. They make the whole field of residential tenancy work better for everyone in the community who is involved.

In summary, this bill amends the Residential Tenancies Act 1997. The bill contains provisions that clarify dealings with bad landlords or bad tenants. Essentially the bill clarifies that a notice to vacate or a notice of intention to vacate can be served in the instance of a third breach of a duty provision. The bill tidies up bond procedures, which are outlined, in relation to the instalments or part payments of bonds; they must be lodged with the Residential Tenancies Bond Authority. This bill ensures that details about bond refunds must be stated on the bond claim application forms before tenants sign them. The bill fixes anomalies where bond loans are made by the director of housing. These are sensible changes that provide assistance to and add clarity for people who are disadvantaged in our community because they rent. The bill makes the whole residential tenancies field work better for everybody in the community who is involved in it. On that note I commend the bill to the house.

Mr CARBINES (Ivanhoe) — I am pleased to rise to make a contribution to debate on the Residential

Tenancies Amendment Bill 2012. The Labor Party is not opposing the bill, but seeks some clarification from the minister in relation to a couple of amendments contained in it.

I begin my remarks by commenting on a number of people I represent in my electorate in the Heidelberg West area. More than 60 per cent of the 3000-plus residents are tenants, 50 per cent of the 3000-plus residents are tenants of the Office of Housing and about another 10 per cent or so are tenants of private rental properties. Matters that relate to amendments to the Residential Tenancies Act 1997 affect tenants in my electorate, particularly those who live in public housing. Those people come to me quite often to talk about issues that relate to their rights as tenants in housing provided by the government and other sundry agencies.

There are a couple of points I would like to cover first relating to clause 19(3) with respect to the bond authority paying out a remaining amount of bond money to a tenant. Unlike the rest of the bill, there is discretion involved. Clause 19, which inserts new section 411B, says:

- (3) After the Authority pays an amount under subsection (2), if the Authority holds a remaining amount of bond in relation to the tenancy agreement for which the amount of bond referred to in subsection (1)(a) was paid, the Authority may pay to the tenant the remaining amount of bond ...

There is no reference in the second-reading speech as to the circumstances where a tenant's money would not be repaid. An example that might be used would be where the authority did not have an address or was unable to contact the tenant. The minister needs to explain why a discretion exists in this new section which has no limitation and which could cause a tenant to have their remaining bond unreasonably withheld. We seek some clarification from the minister in relation to that point.

I also picked up on the fact that currently tenants need a landlord's signature on a variety of paperwork. This has proved to be unnecessary and onerous. Tenants will no longer be required to pursue landlords for their signature. Many of us have been tenants and have had those experiences. When you are a tenant when you first live out of home there is a lot of bureaucracy to work your way through. You must put in funds and submit bond authority forms. Significant amounts of your savings are involved. These are things you learn as you are growing up. It is important to get an understanding of how these matters work. You must understand the need to deal with a bond authority. To not necessarily have to go through a landlord in relation

to some of these matters is an important change which provides a level of comfort to tenants, particularly those who might be first-time tenants working their way through these systems while trying to manage large sums of money as well.

I will touch on a couple of matters that relate to rooming houses. Provisions regarding rooming houses are contained in clause 5 of the bill. We have seen reforms proposed following the work done by the member for Albert Park in relation to rooming houses. I draw the attention of members of the house to an article in the *Age* of 12 March entitled 'Delay in action on rooming houses':

Basic standards to improve conditions in dangerous rooming houses will not be introduced for another year ...

Welfare organisations have told the *Age* that without a central registry of rooming house operators, which the Baillieu government last night failed to commit to, any standards will be rendered virtually useless because there will be no accountability.

There are many people in my electorate who live in rooming houses that are known to Banyule City Council. In my previous role as a Banyule city councillor, I know we did a lot of work in relation to rooming houses that operated in the municipality. We tried to implement arrangements whereby we could hold operators to account for their obligations to vulnerable people in the community. This *Age* article reflects and deals with the government's inaction in relation to rooming houses. These issues are covered in clause 5 in the bill. The article further says:

Thousands of Victoria's most vulnerable people live in rooming houses but a failure to introduce regulations means there is currently no requirement to provide them with things such as locks in toilets, periodic safety checks and at least two power outlets in each bedroom.

These matters are significant, and the attention of the government needs to be drawn to them. The government should act on these matters. The member for Albert Park concluded his work in relation to them in 2009, so there has been ample opportunity for the government to take action on them. The article draws the attention of the government to the issues involved and shows it is clear that the government's heart is not in recognising the need for it to be accountable to vulnerable people in our community who seek to put a roof over their heads.

To draw further attention to the significance of this matter I would also like to draw the house's attention to RMIT research released on 18 April which unveiled Melbourne's rooming house boom, if you like. I will

just quote from the RMIT research release, which states:

New RMIT University analysis has revealed a dramatic 236 per cent increase in the number of people living in rooming houses in Melbourne in the past five years, from about 3700 in 2006 to more than 12 500 in 2011.

The research conducted by Professor Chris Chamberlain from RMIT's Centre for Applied Social Research was released at a homelessness research conference in Melbourne in April. I think it draws further attention to the critical need for us to take action on rooming house matters. This house of Parliament has the necessary reports available to it resulting from the work done by the member for Albert Park. There is the opportunity to act swiftly on these matters. As the RMIT research reveals, more and more vulnerable Victorians are relying on rooming houses for their accommodation.

The RMIT researchers have been able to obtain a greater level of statistics, and the RMIT report release goes on to say that:

... the rooming house population is becoming more diverse, with growing numbers of single parents, aged pensioners, unemployed people and students living in boarding houses.

What is partly the reason for that? Part of the reason the researchers have been able to unpack these statistics, which are different from those compiled by census collectors, is that the census collectors often misclassify these dwellings, resulting in statistics that do not pick up on the reality of the rooming house boom. That is often because some 75 per cent of registered rooming houses in Melbourne are, according to Professor Chamberlain:

... small family homes accommodating four to nine people, which look no different from other properties in the same street.

Again this brings us back to why we need a central registry of rooming house operators — so that municipalities and government authorities can provide greater scrutiny of and accountability in rooming houses in Victoria. If we are seeing a boom in the number of people living in rooming houses, it is critical the government act on the recommendations in the reports that have been made available to it in relation to these matters.

Among the myriad issues raised by many of the public housing tenants who live in Heidelberg West, in my electorate, in relation to the Office of Housing are not only issues relating to maintenance matters and having those addressed appropriately but also concerns about the fact that there are a number of vacant dwellings or

pieces of land owned by the Office of Housing that could be provided to tenants in the future if the government were to invest in public housing. Friends of Public Housing has recently asked people for their input and comment in relation to the paper the government put out, *Pathways to a Fair and Sustainable Social Housing System*, in April 2012.

Public housing tenants, who are covered by aspects of the Residential Tenancies Amendment Bill 2012, have also expressed their concern to me about whether this government is intending to hand over public housing to private companies to make most people in public housing pay more for their rent and also to give public tenants a time frame in which to move out of public housing into rental housing instead of having housing security. These are the issues that confront people in my electorate every day. They have recently had pension increases from the Gillard government taken away from them through increases in their public housing rent instituted by the Baillieu government. These are the concerns, as I say, faced by public housing tenants in my electorate every day. There are many vulnerable people in my community, including unemployed people, young people, those with disabilities and those with illnesses, who are stuck with rooming houses as the only places that will provide them with accommodation. This government needs to move more quickly to act on the recommendations to make rooming house operators accountable to all Victorians.

Mr SOUTHWICK (Caulfield) — It is my pleasure to rise to speak on the Residential Tenancies Amendment Bill 2012 and look at some of the great legislative work that is being done by this government, particularly by the Minister for Consumer Affairs. I take the opportunity to point out that a lot of work has been done in conjunction with the Minister for Housing and the Minister for Community Services in a whole-of-government approach to ensure that the most vulnerable people in our community are protected. This bill is very much about that.

I am glad the member for Ivanhoe talked about the vulnerable people who live in our electorates and our communities, because the elements of this bill include facilitating bond moneys to ensure that those who are vulnerable in our community are not utilising money from their own pockets — money that could be spent on food and other basic necessities — to pay for bonds; that goes to the crux of this bill. I am sure the member for Ivanhoe will be very supportive of us having taken this proactive approach. The opposition had some 11 years to do something in this area, but it was left aside, like many other areas under the previous government.

I turn to the elements of this bill, which looks at improving the efficient operations of the Residential Tenancies Act 1997 to clarify when notices to vacate or notices of intention to vacate may be given following successive breaches of duty provisions, to enhance the operations involved in governing the lodgement and payment of residential bonds and also to effectively free up bond loans currently held by the Residential Tenancies Bond Authority, enabling the director of housing to put those moneys back into further bond loans to assist people on low incomes to access rental accommodation. As I said, that cuts to the core of this particular bill, ensuring that we get the money back into the community, back into the areas that need it most and back to the most vulnerable — ensuring that those people are provided with housing, which is one of the most important necessities that, as we all know, all people deserve.

Before I go into the core elements of this bill, I would like to pick up on the comments made by the member for Richmond when he spoke about rooming houses and the fact that we have been very slow in taking up some activities when it comes to rooming houses. We have been at the forefront of ensuring that we bring rooming houses up to scratch. We are putting in place processes to raise rooming house standards, and that is very important to this government. We have given rooming houses time to make these provisions. You cannot expect things to happen instantaneously when in many cases you are talking about big operations — —

Ms D'Ambrosio interjected.

Mr SOUTHWICK — I hear an interjection from the member for Mill Park about a knob on a door. That is absolutely ridiculous. What we are talking about is not one knob on one door but many doors and many knobs, because in many cases these are big facilities. If you want to do this properly, you need to provide opportunities for that to happen. We do not want to put people out on the street and allow rooming houses to not be up to scratch; we want to give rooming houses time to ensure that they put these things in place. At the end of that time, they will be fined if they are still in breach of the legislative provisions. We are doing this properly, unlike the member for Mill Park, who rants and raves. She had 20 minutes to contribute to the debate on this bill, but in the last 10 minutes she absolutely strayed from the bill.

I will return to the five key provisions of the bill. Firstly, the bill will clarify that a notice to vacate or a notice of intention to vacate may be served following the third successive breach of duty. Secondly, it will prohibit a landlord from requesting to obtain a tenant's

signature on a bond claim unless the bond repayment amounts have first been entered onto the form. Thirdly, it will extend the duty of a landlord to lodge a bond with the Residential Tenancies Bond Authority (RTBA) to include lodgement of part payments or instalment payments of a bond. Fourthly, it will facilitate a substitution of private payment of the bond with a bond loan provided by the director of housing. Finally, it will enable unclaimed bond moneys provided by the director of housing and held by the RTBA to be repaid to the director of housing.

I will look at successive breaches first. What we are doing is clarifying the process of serving a notice. Tenants can be in breach for not keeping the premises reasonably clean, for installing fixtures without consent, for altering, renovating or changing the mix of the premises without consent, for failing to restore a premises to its prior condition or for changing the locks without consent. These are basic tenant obligations. At the same time, a landlord can also be in breach if they do not take reasonable steps to ensure that a tenant has the quiet enjoyment of the premises, that the premises is maintained and in good repair or that it is secure and has proper locks on external doors and windows so that the tenant can live in a peaceful and harmonious way. In both cases, a landlord or a tenant is able to issue a breach of duty notice when the other party breaches their duty.

At the moment it is quite unclear how many breaches of duty must take place before a notice to vacate can be served. This bill expedites that process by providing that the notice to vacate may be served immediately after the third successive breach of the same duty. The landlord or tenant may choose to simply serve a further breach of duty notice if they wish to do so. We are trying to streamline the process to allow the tenant and the landlord to work together and make it easier for them to settle a dispute.

The second element of the bill regarding incomplete bond forms makes it an offence for a landlord or agent to request or obtain a signature on a bond form unless the amount on the bond has first been entered on the form. This is very important, because if you are filling in a blank form, which has happened in many cases, then at the time of trying to settle a dispute the tenant might find that a landlord has one figure in mind and the tenant has another. Then a dispute takes place, and the Residential Tenancies Bond Authority is called — sometimes 30 times in a week by tenants trying to settle those disputes. This clogs up the system. In some cases there is the opportunity to go to the Victorian Civil and Administrative Tribunal, but if tenants go to VCAT, it adds another process as well as more time and

uncertainty. This government is not about that; we want to unclog and streamline the system. We have a commitment to cutting red tape. I have spoken on many occasions about cutting red tape by 25 per cent, and this bill certainly goes to the crux of doing that.

I want to finish by talking about housing loans, because I think it is really important to do so. Housing loans allow low-income earners the ability to access money for a bond but not have to take that money out of their own pocket. This can be a very difficult situation, particularly when that money is needed to pay for other things. The bill addresses this issue and allows the RTBA to notify the landlord of a substitution.

Finally, it is important to mention that the total amount of bond loans currently held by the RTBA is \$740 000. That money has been held since 2003, and I consider that to be incompetent. The fact is that \$740 000 could have been spent on more housing. It could have been spent on getting people into properties. It could have been spent on a whole lot of things —

Ms D'Ambrosio interjected.

Mr SOUTHWICK — I hear the member for Mill Park interjecting again. What we will do with it is take that money and put it back out there to ensure that we get more people into housing. That is what we are doing. The opposition is all about lip-service. The Labor Party has always been about lip-service when it comes to this sort of thing. It talks about trying to help the most vulnerable, but the coalition is delivering on helping the most vulnerable. We care, and it is obvious that we care because we are delivering bills like this to the house —

Ms D'Ambrosio interjected.

Mr SOUTHWICK — It is all very well to talk about it. It is all very well to provide lip-service, as the member for Mill Park does when she continually interjects, but lip-service is not enough. Our government is delivering. That \$740 000 will pay for a lot of housing and accommodation. We are delivering in an area in which Labor failed over its 11 years in government. I commend the bill to the house.

Mr SCOTT (Preston) — I rise to speak on the Residential Tenancies Amendment Bill 2012. As has been stated, the Labor Party is not opposing this bill.

In opening, I would like to touch on clause 6(1) of the bill, which amends section 308(1) of the Residential Tenancies Act 1997 to clarify matters in relation to caravan parks. Caravan parks have a particular role in the community that I represent. I have spoken a number

of times in this place about Summerhill Residential Park in Reservoir. In touching upon that I would like to pay tribute to Marian and Lionel Foster, who have led many years of campaigning for the rights of tenants in caravan parks.

Caravan park regulation is particularly important because of the specific nature of tenancy within a caravan park. Caravan parks, or residential parks, as they are often known, are places where a person can own a caravan or what is considered a demountable home, which in theory can be moved — although often they are not; often they are kept in one place for a long period of time — and the tenant owns the building but rents the land. The rent is paid to the landlord for the land. This creates specific issues that were dealt with — and I note that the member for Caulfield has left the chamber — by the previous government in specific legislation relating to caravan parks, which gave more rights to residents.

There are specific needs that arise for tenants in caravan parks. In one sense they have all the responsibilities of homeowners to look after and maintain their own buildings and make repairs et cetera, but they have some of the insecurities and disadvantages that are experienced by renters, so they do not have flexibility. One of the advantages of being a renter is the flexibility of lifestyle, of being able to move without the disruption that a homeowner faces in selling their home. But a caravan park tenant has some of those same market disadvantages, so any regulation that improves the lot of caravan park residents is of special interest to me and the residents who live in my electorate, particularly in Summerhill Residential Park.

The bill amends the provisions in the principal act that relate to three breaches and provides for a simplification and clarification of the process for a landlord issuing a notice to vacate to a tenant, in that after two breaches there can be a notice to vacate issued rather than another breach of duty notice. However, clause 6 (2), which inserts new section 308(1A), appears to be a caveat on the issuing of a third breach notice, where the issuing of the breach notice is limited because it is not able to be served until the time period set out in the Residential Tenancies Act 1997 for that notice has elapsed. In effect you cannot immediately issue a third notice; you have to wait the specified period. For example, if the breach notice was for an issue related to the maintenance of the property, or the land in this case, the time given for the breach notice would have to elapse before the notice was issued requiring the persons to vacate.

This is of particular importance because it is not so simple to vacate if you own a caravan or a demountable home in which one can have significant equity, and in Victoria there is not really a secondary market to take the residents to. If you own what is called a demountable home, there is not an effective secondary market of places to move the home to after popping it on a trailer. In fact many of them sit in the same location for a person's entire life, and people live in these situations literally for decades. There are special needs relating to tenants of caravan parks. Again I put on the record my gratitude and the gratitude of the community for the work of Marian and Lionel Foster in fighting for the rights of caravan park tenants.

Overall the bill can be seen as essentially containing two parts: the first relating to successive breaches and the second relating to bonds. On successive breaches, a number of provisions of the act relate to the third breach. They allow both the tenant and the landlord after two breaches have occurred to issue respectively a notice of intention to vacate or a notice to vacate with regard to a third breach. Clauses 3, 4, 5, 6, 7 and 8 of the bill deal with these particular matters, not just in relation to residential parks but to a series of situations, including rooming houses, normal tenancies and other circumstances. This is a measure which clarifies the situation. After two breach of duty notices have been served, the third can be either a notice of intention to vacate or a notice to vacate.

I noted that at least one government speaker framed a reference to these matters simply in terms of the rights of the landlord, while others mentioned the tenant. That is concerning to me, and it should be noted that these rights, relating effectively to a third-strike provision, relate to the rights of both tenants and landlords.

It is important to note that tenants have rights and that provisions for the exercising of the tenants' rights to leave leases exists under the bill where the landlord has been remiss: they may have failed to repair a heater in the middle of winter, refused to take the reasonable necessary actions to ensure the quiet enjoyment of the property or there may have been other circumstances. The shadow minister for consumer protection, the member for Mill Park, is sitting next to me, but I am sure the fact that these rights apply to tenants is one of the reasons the Labor Party is not opposing the bill.

It is a balance to ensure that the rights of both tenants and landlords are protected. The provision of housing is one of the most critical human rights that persons can have. Without adequate, safe and appropriate housing it is essentially impossible for people to live a meaningful life within our community. That is one of the reasons

this right has been dealt with over time not just in residential tenancy law but in an evolutionary series of amendments. I noted some of the inflammatory comments from government backbench members, but this bill should be seen in the context of the regular legislative process. The Residential Tenancies Act 1997 and other related acts have been amended over a long period — in fact, across governments — to ensure the more effective operation of such an important area of community life. As I said, without secure and adequate housing, persons cannot enjoy the benefits which the community provides.

The tenants union has raised a number of concerns. One of them is about clause 19, which inserts new section 411B. New section 411B(3) refers to when the bond authority would pay out remaining bond money to a tenant. This section allows for discretion and provides that the authority ‘may pay to the tenant the remaining amount of the bond’. I note that in the second-reading speech there was no reference to the circumstances under which tenant money would not be repaid. That is a matter which should be clarified by the minister in summing up.

Clause 22 deals with how the bond authority is to pay the director of housing any remaining bond loan when the tenancy agreement has expired. I note that a number of matters have been raised by the lead speaker for the opposition. It is appropriate that those matters be clarified by the minister in summing up. Of course that is if the minister chooses to sum up, because ministers have chosen not to sum up on many occasions. I think this minister has never chosen to sum up, which is a discourtesy to the house. The minister should clarify those concerns that have been raised, because it is important to ensure that there is clarity, both within the law and within the community, about the understanding of the law.

Issues relating to bonds have been raised a number of times. These clauses resolve issues that arise where landlords get tenants to sign incomplete bond forms, where there is not an amount specified. I note that previous speakers have touched upon this, but this is a critical aspect. It is important to understand that these situations can be unequal. Persons can be desperate to get housing and to ensure that they have access to housing. Anyone, using common sense, would think you would not sign a blank form, but it is quite usual. People are presented with large numbers of forms. I think it was the member for Caulfield who said that the figure for complaints regarding this matter was 30 a week. It is important that the rights of people who are seeking to gain housing are protected and that a clear amount is clarified for both parties.

That is something the Labor Party is not opposing. In fact it is important to protect the rights of tenants in such circumstances, because they can be in very vulnerable situations. As I said, the Labor Party is not opposing this bill, but I think it would be a courtesy to the house if the minister returned to sum up on the bill and deal particularly with concerns relating to clauses 19 and 22.

Debate adjourned on motion of Mr HODGETT (Kilsyth).

Debate adjourned until later this day.

STATUTE LAW REVISION BILL 2012

Second reading

Debate resumed from 6 June; motion of Mr McINTOSH (Minister for Corrections).

Mr McGUIRE (Broadmeadows) — Much ado about little is how this bill would be categorised by commentators from Shakespeare to Seinfeld. Nevertheless I rise to make a contribution in the public interest on the Statute Law Revision Bill 2012. The shame of it is that the government does not consider it has more substantive issues to address. That is one of the issues that I want to discuss in framing my contribution in today’s debate on the bill. One of the issues we face is a government which has gestures but which lacks substance. This is of particular concern because all we have in this house is time, and the time should be used to actually look at the affairs of state that are of great concern to the public, one of which is leadership.

People wonder what is happening when they see reports that the Premier is just staring out of the window at 1 Treasury Place, seemingly in existentialist angst like Hamlet, asking himself, ‘To lead or not to lead, is that the question?’. That is one of the key issues. Then they see the circling of the conspirators, and they have concern about vaulting ambition. They wonder what is happening. As the Bard may have categorised the Minister for Energy and Resources, ‘He is a lean and hungry man. He thinks too much’. He would have warned the Premier, ‘Such men are dangerous’.

Then in the upper house there is the Minister for Planning, who was written off this week by the *Age*, which said that what he had was a land grab, not a plan.

Mr Walsh — On a point of order, Speaker, on the issue of relevance, we are debating the Statute Law Revision Bill 2012. I know the lead speaker has some

degree of flexibility in their contribution, but I do not see how the direction the member for Broadmeadows is going in with his contribution has any relationship with the bill.

Mr Madden — On the point of order, Speaker, I would like you to rule the point of order out of order because I think the minister doth protest too much.

The ACTING SPEAKER (Mr Blackwood) — Order! I do not uphold the point of order, but I ask the member for Broadmeadows to come back to the bill we are debating.

Mr McGUIRE — The minister does protest too much, and it says a lot about why he has to do that. Thank you for your advice, Acting Speaker. Speaking on the bill, I am setting the form of what this debate should be about. It is about why this bill is emblematic of this government. If we look at what is really going on, we see that these are the affairs of state that the public wants us to debate in here; these are the issues that we should spend our time on.

Speaking on a very narrow bill introduced by a narrow, punishing government, I will address some of the key propositions in it. What does the bill actually do? This bill makes amendments to 57 acts, but what are they? They are broad in scope but narrow in content and significance. What does the bill do? It corrects minor errors or omissions, such as cross-referencing, spelling, drafting or grammatical errors. It updates nomenclature, such as the names of government departments, agencies and successor acts. It repeals spent subsections, sections, divisions or parts of acts, and it remedies incorrect legislative instructions or failed amendments. This is an uncontroversial bill. Given what has happened this week, particularly in journalism, where we have seen the loss of jobs, this could almost be reframed as a subeditors bill, because that is really what it is doing. It is picking up these little issues at the margin of the main debate, which are necessary but not really the main game that we should be debating here.

The chief parliamentary counsel has certified that the bill contains only amendments appropriate to a revision bill and does not make any substantive change to the statute law of Victoria. There is the rub. I also note that the Scrutiny of Acts and Regulations Committee is satisfied that all revisions and amendments contained in the bill are necessary and appropriate statute law revision amendments. Therefore Labor will not oppose the bill. This is, as the minister said in his second-reading speech, ‘part of the Victorian Parliament’s regular housekeeping arrangements ... making technical improvements to the state’s statutes’

rather than substantive amendments. I rest my case on that point.

As such, this bill is emblematic of the Baillieu-Ryan government. This bill makes technical and non-substantive amendments to 57 different acts across the areas of road safety, the environment, youth employment, child safety, business and corporations, justice and sentencing, education, consumer affairs, health, public health and safety, infrastructure and major projects, public transport, resources, scrutiny of government, planning, housing, industry policy and water management. The point I have been making is that while the scope is wide, the impact is narrow.

Therefore it beggars belief that a government elected on promises to fix the problems, build the future, cut the cost of living and govern for all has just come in here and all it is fit to do is dot the i’s and cross the t’s on 57 pieces of legislation across this breadth of policy areas. It exposes the government’s inability to deliver on its extraordinary election promises and confirms that the Liberal-Nationals coalition’s strategy is to manipulate the electoral cycle for its political self-interest, delivering only gestures rather than appropriate responses to the challenges facing this state.

As Josh Gordon pointed out in the *Age* of 30 June 2011:

Unlike previous state governments, the Baillieu government is showing little interest in using the R word.

The R word is ‘reform’. The article goes on:

There is no brains trust discussing how to address looming problems ...

This is a relevant and significant insight. If this government did have a brains trust working in the public interest, perhaps it would effect a more substantive change to, for example, the Mineral Resources (Sustainable Development) Act 1990 than to correct a punctuation error in section 14 (4).

The government has no vision, no plan and no job strategy, and there is still no narrative and no ideas. Far from having a theme, this government has an identity crisis. This is a government that either delivers gestures lacking substance or is ideologically split and does not want to intervene. If by some chance it does engage, it fails to deliver. This sentiment was echoed by the dean of the school of global studies, social science and planning at RMIT University, David Hayward, who pointed out in November 2011:

There comes a time in all leaders’ lives when they must decide what it is they want to leave behind. No doubt this

thought will be troubling Premier Ted Baillieu as he ponders the remaining three years of his first term.

Mr Southwick — On a point of order, Acting Speaker, I ask you to bring the member back to the bill. He has moved well away from the bill. I know he missed his opportunity to speak on the matter of public importance this morning when he could have made such a contribution, but this is not what a statute law reform bill is about.

The ACTING SPEAKER (Mr Blackwood) — Order! I do not uphold the point of order. However, even with the wide latitude a lead speaker gets, I ask the member to come back to the bill.

Mr McGuire — On the bill and on this theme, I am stretching the theme — —

Mr Walsh — You are stretching the truth.

Mr McGuire — No, I am painting the picture and delivering the theme for a debate.

Mr Walsh — It is a very wide canvas.

Mr McGuire — It needs to be a wide canvas, because it is such a narrow bill. That is all we get in this Parliament — narrow, punishing propositions.

The article continues:

Steve Bracks left behind a democratised upper house and a charter of human rights, two pretty impressive achievements. Jeff Kennett left behind a state on the move after inheriting one in decline. And John Cain bequeathed a modernised bureaucracy and freedom of information legislation that for a time was the envy of the land. But what might Baillieu leave behind? Nothing immediately comes to mind.

I will take up this point, because it is particularly relevant to the amendments made in the bill to the freedom of information legislation. I am dealing directly with the bill on this point.

Mr Walsh — On a point of order, Acting Speaker, the member is straying widely from the bill again. I ask you to bring him back to it.

Mr Pallas — On the point of order, Acting Speaker, it is apparent from what the member has just said that he is talking directly to the bill.

Mr Walsh — As soon as I stood up.

Mr Pallas — If the minister thinks he is that responsive to his every gesture, it is a sign of how responsive and intelligent our lead speaker is.

Mr Southwick — On the point of order, Acting Speaker, on the matter of relevance, we have just heard the member allude to the vision of the coalition government and the Premier, which has absolutely no relevance to a statute law bill. He keeps straying from the bill. We have asked you to ask him to stop doing so on a number of occasions. I ask you to bring him back to the bill.

The ACTING SPEAKER (Mr Blackwood) — Order! I uphold the point of order on this occasion, because the member has had three opportunities to come back to the bill. As I said, the scope of the lead speaker is quite wide, but I ask the member to come back to the bill.

Mr McGuire — On the bill, as I was leading up to saying, it is about the freedom of information proposition. I refer to the amendments to the Freedom of Information Act 1982 that delete the unnecessary conjunction ‘or’ in section 23(1)(c).

An honourable member interjected.

Mr McGuire — This is right on the guts of the bill, as the member of The Nationals said, and I heard him well.

What this comes down to is the question: what is the weight and measure of the word ‘or’? Reform of freedom of information was a key plank in the coalition’s promise to provide a new era of transparency and accountability, but far from delivering this new era, the Baillieu-Ryan regime has presided over the demise of freedom of information.

As the *Age* editorialised on 20 April — and this is about section 23(1)(c):

At least Victorians now know this much: the state that three decades ago led the way on open government today ranks as one of the most secretive in the country ...

...

In essence, the government and its agencies display barely concealed contempt for the principle underpinning FOI laws, being the public’s right to know and to hold its elected leaders accountable ... In opposition Mr Baillieu pledged greater transparency, but appears to have done precisely the opposite since winning government.

This editorial followed a report by Josh Gordon in the *Age* of 12 April, which says:

Like most first-term governments in recent Australian political history, the Baillieu team came to power making grand promises about reforms after speaking out while in opposition about the need for transparency.

Yet, 16 months after the November 2010 election, the situation is as bad as ever. Government departments are supposed to handle freedom of information requests independently of ministerial offices.

Dr Sykes — On a point of order, Acting Speaker, I draw your attention to what appears to be the member reading his speech. I ask you to make a ruling on that.

Mr McGUIRE — I am reading a direct quote from the *Age*.

The ACTING SPEAKER (Mr Blackwood) — Order! I ask the member whether he is referring to his notes.

Mr McGUIRE — I am referring to notes, and what I was speaking to when the member made that interjection was a direct quote, so it had better be read accurately.

The ACTING SPEAKER (Mr Blackwood) — Order! I do not uphold the point of order. I ask the member for Broadmeadows to proceed.

Mr McGUIRE — The quote continues:

Nor is the government's long-awaited freedom of information commission likely to help. Among a raft of other impediments, the commissioner will have no power to review decisions by ministers or department heads, no power to conduct 'own motion' investigations and no power to release cabinet-in-confidence documents ...

Victoria's freedom of information laws have been turned into a Kafkaesque quagmire. The original intention of the act has been so distorted that it seems to be achieving little more than tying up hundreds of bureaucrats for thousands of hours at a cost of millions of dollars.

That is about as damning a critique as a government could get. So much for the amendments to the Freedom of Information Act 1982 made by this bill.

This goes to my substantive issue — that is, that this bill is really just housekeeping when we need major reform. What we really need is for the government to deliver on its promises to govern for all. Where is that? This is what we need from this government. Even the former Liberal Premier, Jeff Kennett, quoted John Kennedy —

Honourable members interjecting.

Mr McGUIRE — You know the quote — you are looking for it — 'Just do something!'. I have taken up this call many a time in this chamber. Where are the jobs? Where is the vision? What is the government doing?

How does the government respond to legitimate pleas from the opposition to deliver jobs and provide economic leadership for Victoria in a time of need? It says we are talking down the economy. We are imploring the government to act, not talking anything down. What Labor is in fact doing is talking up the needs and the best interests of the Victorian people.

The opposition's view was vindicated by the *Age* commentator Tim Colebatch in his assessment of the budget in the *Age* of 2 May, when he said:

But nor was there anything resembling a jobs plan, or anything aiming to get the economy to fire on all cylinders again.

And there was nothing to answer the question Victorians are asking: why does Ted Baillieu want to be Premier? Where does he want to take us?

At some point, his government is going to have to tell us what it stands for. The budget was a missed chance to do that.

The people of Victoria are still waiting for an answer to this, and it is not contained in this bill or in the legislation that we see come into this chamber week in, week out. This is my critical point, and this is my call to this government — that it actually take up what it should be doing, take on the responsibility and start to act like a government. Those opposite still have an oppositional mindset. They have been institutionalised after 11 long, dark years in opposition. They do not get it. Losing money and being ripped off is not a hiccup. It is not a hiccup if you live in Broadmeadows. The media had to shame the Premier into doing something about it by showing how many groceries you can actually get for that amount of money. It is not the government's money; it belongs to the taxpayers — to the people. Give it back to them!

From this bill Victorians can understand that the government stands for grammar and punctuation but not much else. There is a lack of vision and a lack of a plan for Victoria. This is a housekeeping bill from a housekeeping government; that is all we have got. However, there is a broader issue at play. The government has been exposed as being without a vision or a plan. It has only a political scheme to win an election. It is manipulating the electoral cycle by delivering gestures instead of substantive policy in the public interest. Victorians have been despairing over what the government stands for and, as Mr Colebatch articulated, what Ted Baillieu wants to do as Premier. Rather than having a vision for Victoria, perhaps simply holding power is the government's ultimate goal.

Mr Southwick — On a point of order again, Acting Speaker, we are hearing editorial comment, which is great for those who have not caught up on the daily newspapers, but the member has continually strayed far and wide from this bill. We do not need a commentary on how the state's affairs are being handled; we need to know the relevance of the member's comments to the statute bill before the house. It is a very narrow bill. I ask that you draw the member back to that bill. He is making a great contribution, but it would probably be better suited to the newspapers than the Parliament.

The ACTING SPEAKER (Mr Blackwood) — Order! I uphold the point of order, and I ask the member again to confine his comments to what is in the bill and not to discuss what is not in the bill.

Mr McGUIRE — I go back to the fact that there are amendments to 57 different acts across areas including road safety, the environment, youth employment, child safety, business incorporations, justice and sentencing, education, consumer affairs, public health and safety, infrastructure and major projects, public transport, resources, security of government, planning, housing, industry policy and water management, yet the government only sees fit to dot the i's and cross the t's.

An honourable member — That's good government.

Mr McGUIRE — That is the shame of another opportunity lost; it is not about good government. The government has not delivered. It is about the failure to deliver that is the consequence. It is the lost opportunity — the opportunity cost of having those opposite in government. They have done nothing, and they do not know what to do. That is why this is yet another bill that is much ado about little. That is the shame of it all.

Mr THOMPSON (Sandringham) — The role of dotting i's and crossing t's is a pivotal aspect of the legislative process. Great matters have risen and fallen in the judicial process on issues of interpretation. With the latitude of the Chair and the cooperation of colleagues, I would like to share a brief story that illustrates the tenor of this bill. In A. P. Herbert's book *Uncommon Law* there is a story with the title 'Is a golfer a gentleman?'. It is about a fellow who, as I recall, was charged with a large number of offences under the profane utterances act of an earlier English century, and in his defence before the magistrate — —

Mr Madden — So this is relevant to the law?

Mr THOMPSON — By way of background, it is. We are speaking about statute law, and that particular

case was a case of statute law. This gentleman was arguing that for 17 holes of the golf course he was a gentleman and therefore if an offence took place on one of those, he would be liable to be charged at the appropriate levy of 1 shilling per offence but that there was one hole on this particular golf course on which no person who had played it before could ever be called a gentleman, because as they approached the ravine with the waves crashing on the rocks and remembered where their golf balls had gone last time they played there the blood would be boiling in their bodies and a rage would develop as they teed off and subsequently lost their golf balls.

The point of this story is that for 17 holes of the course this fellow argued that he could be described as a gentleman, but for the one hole on the golf course in relation to which he was being charged under the Profane Utterances Act of an earlier English century he was not liable to be fined as a gentleman but rather at the rate of a serf, which was a lower rate. This story illustrates in a general way the importance of judicial interpretation in the common law and the importance of dotting i's and crossing t's. There is a level of precision that we rely upon. As Winston Churchill said, we have institutions that have taken 1000 years to establish but could disappear in the dust in a moment. A bill with that level of precision, word by word, apostrophe by apostrophe, full stop by full stop, semicolon by semicolon, has defined the legal structures we have under the Westminster system of government.

This bill amends some 57 acts or thereabouts in a number of different ways. As has been said before on another statute law repeal bill, as opposed to this bill before the house, which is a revision bill, there is the viewpoint that these acts succinctly and evocatively draw attention to Australia's and Victoria's past history.

In this chamber the Boer War veterans legislation was debated, which gives an insight into Australian troops from across the nation going to fight in South Africa. There was the blind soldiers legislation, and there is the miner's phthisis legislation, which showed the perils of early deaths for those who went down into the mines in this state. Each bill or act that is repealed draws attention to matters that have had the full attention, focus and concentration of this particular chamber throughout Victoria's history. There are important aspects that we need to recognise and understand in that particular context.

I might note too that the bills that are being amended give an insight into particular aspects of our history, matters which have affected our electorates and matters which have affected the great features of the state of

Victoria. For example, item 34 of the schedule relates to the National Parks Act 1975. Item 34.1 states:

Insert the following heading to section 29 —

“Wilsons Promontory National Park”.

Item 34.2 states:

In section 29(1), for “Wilson’s” substitute “Wilsons”.

Item 34.3 states:

In section 37A(5)(a)(i), for “Wilson’s” substitute “Wilsons”.

Item 34.4 states:

In Part 20 in Schedule Five, for “Wilson’s” substitute “Wilsons”.

These are small amendments, but they are very important, because those travelling to Wilsons Promontory would see on the road signs in the electorate of Gippsland South the correct spelling of the name of an important landmark, one of the great features of the Australian continent. Wilsons Promontory is the southernmost part of the Australian landmass before we move down to Tasmania. It represents one of the great recreational precincts within this state. Those who have had the privilege of going to Tidal River or walking around the bay at Wilsons Promontory understand that it is one of our great landmarks. Then there is the magnificence of Sealers Cove. I note that the Treasurer is at the table. I think he still has my picture of the lighthouse at Wilsons Promontory. I had this magnificent framed picture in my office; it was a photograph that I had had blown up. During the debate on the marine parks legislation I loaned it to him. I will seek its return.

Honourable members interjecting.

Mr THOMPSON — It has been asked how many years ago I loaned the picture to him. It was about the year 2001, so it was 11 years ago. I look forward to its return. This does illustrate the regard for which Wilsons Promontory is held as a great national park in Victoria.

There are other acts here. At item 40 there is an amendment to the Prahran Mechanics’ Institute Act 1899. In that particular act in section 14 there are two ‘the’s, which is obviously a drafting error. That error will be removed. That act has been tidied up with precision.

With regard to precision in language, I would like to make another comment in passing. A couple of weeks ago one of Victoria’s great classics teachers died. His name was Geoffrey Wenzel. His grandfather, a relative

on one side of the family, constructed the spire at St Paul’s Cathedral. His own father was a cleric. Geoffrey Wenzel was a classicist, and he spent his life teaching in Victorian schools. At one time he taught at University High. He taught at a number of Victorian secondary schools. He was a great sportsman, making 90 runs for the Brighton subdistrict cricket club and kicking 10 goals in a school game in earlier years.

He was a person devoted to precision in the instruction of the classics — Latin and Ancient Greek. There is a discipline in the study of language — the conjugating of verbs, the declining of nouns and the development of a good understanding of syntax in its proper format. It is a discipline that requires great rigour. From that foundation people have gone on to other tasks which require great precision. In yesteryear Latin was a foundation language for the study of medicine and law. It was a discipline. It taught people how to think, and it gave an insight into the ancient world. Matters such as the punctuation amendments in the Statute Law Revision Bill 2012 are of equal importance in developing a precise language and a good understanding of the law.

There have been judicial cases that have rested on the determination and definition of a word’s meaning. In the bill before the house there is an amendment to the Magistrates’ Court Amendment (Assessment and Referral Court List) Act 2010. Item 28 states:

In section 4(2)(a), for “paragraph (c)” substitute “paragraphs (c)”.

Members of the judiciary and members of the Victorian Bar have entered into this particular arena, and I might add that members of this house have gone on to serve on the bench. George Higinbotham, who was once a member in this place, later went on to become the chief justice of this state and to apply his learning and language to his role on the bench. In addition, numbers of people have come from the bar into this place to exercise their knowledge of 1000 years in the development of common law and subsequent statute law, which this Statute Law Revision Bill 2012 is designed to refine and correct so that there is a good foundation for legal activities that are undertaken in the state of Victoria.

As part of the Baillieu government’s process of balancing the budget, building export markets, improving productivity and helping industries in transition, this is just one of the finessing tasks that occupy the time of the house on this day.

Mr PALLAS (Tarnait) — It gives me pleasure to rise to speak on the Statute Law Revision Bill 2012. In

so doing I recognise that the work of this Parliament and the need for constant revision of statute law are important. On occasion the drafters of bills do fail to pick up each and every drafting change that is required. On occasion history overtakes the language used in legislation and there is a need, necessarily, to fix it up.

The Statute Law Revision Bill 2012, as its name would suggest, is a bill that seeks to revise a number of acts on the Victorian statute book. In particular there is a schedule to the bill containing something like 57 acts which are affected by this bill. At this point I should recognise the work of the Scrutiny of Acts and Regulations Committee in relation to the bill. In particular it has identified that the bill proposes to make revisions to acts in four succinct and specific areas: correcting minor errors or omissions, such as cross-references; spelling and drafting or grammatical errors; updating nomenclature and repealing spent subsections, sections, divisions or parts of acts; and remedying ineffective legislation instructions or amendments. This bill is almost self-described by its nature — that is, it is a bill that leads to regular and uncontroversial housekeeping. As has been indicated, the opposition will be supporting the bill's passage.

In many ways this is a bill where you dot your i's and cross your t's. Indeed, if you did not cross your t's, for example, in the word 'Ted', you would end up with 'IED', which would be an improvised explosive device. We would not want that. The state of Victoria would not want that. It may be in fact that we have got it!

To continue the Shakespearean allusions, and I acknowledge the greater capacities in that respect of the member for Broadmeadows, this is not what Shakespeare alluded to as being 'such stuff as dreams are made on'. In the legislative context much more needs to be done. We are filling the time of this Parliament with a bill that, dour though it may be, is nonetheless critically important. As the member for Sandringham, when he was talking on the bill and not seeking the return of a painting that had been —

Mr Wells — It was a photo.

Mr PALLAS — It was a photo, was it? He was seeking the return of a photo that had been in some way stolen from him. If we do not get the legislative drafting right, we get very clear consequences of that.

There are some very unfortunate cases in British statutes, and the Westminster tradition law that applies in this country has arisen from them. One case that takes me back to my succession days when I was studying law is *In Re Baden's Deed Trusts*, a case

where the drafting of a will ultimately led to a family fortune not being appropriately allocated, largely because of a spelling mistake contained in one word and one word only. Ultimately some of the partners in the firm responsible for that drafting error committed suicide out of a sense of shame that flowed as a consequence of that very tragic outcome.

Increasingly the courts have moved to a recognition and understanding of the intent and the mischief that legislation seeks to address, but we, as legislators, also need to recognise that where errors have been made — and they do occur from time to time — they should be rectified.

Importantly, as legislators we also need to understand that the greatest error that can be made is the misuse of this Parliament's time when it comes to spending too much of it looking at legislation of this nature. That is why I largely rely on the contributions of the Scrutiny of Acts and Regulations Committee in overlooking the bill. I recognise the diligent work done by parliamentary counsel in what would best be described as the dour effort of looking through bills to recognise and collate errors and ultimately move towards rectifying them.

The greatest sin when it comes to governance and Parliament is the sin of omission, and the greatest omission is a misapplication of this Parliament's time when much more needs to be done. As we have seen, this is a housekeeping bill which does not contain any substantive amendments and does not fix the problems that the government was elected to fix. In many ways it is about tomorrow, and tomorrow, and tomorrow, to continue the Shakespearean theme. Shakespeare wrote, 'The fault, dear Brutus, is not in our stars'; the fault here is not that this bill is before this place; the fault essentially lies in the misapplication of effort.

Many of the 57 bills amended by this legislation cry out for substantive action from the government, and that includes bills relating to freedom of information. Who can forget the language of the Premier when he was Leader of the Opposition concerning freedom of information, saying, 'Ask and you shall receive'? What have we subsequently received? We have received a freedom of information commissioner who cannot even look into the actions of secretaries or ministerial officers. If we are going to look substantively at amendments that need to be made, let us look at the substance. Let us look into the heart of legislation and not simply the language and the form that apply to it, because in many ways the fault lies not in the stars but in ourselves.

If we fail to look into those things that guide government, if we fail to look at the heart of what legislation seeks to achieve, if we only look into the housekeeping, if we look after the pence but not the pounds, if we cannot see the forest for the trees in terms of things that need to be fixed in this community, we will be consistently spending a lot of time pulling lint out of our navels but not ultimately substantively advancing the cause and the needs of the people of Victoria.

It goes without saying that when you look at the bills that are amended by this legislation and the need for the effective and continuing operation of those acts, the opposition supports those changes. The Road Safety Act 1986 is one of the 57 acts that are amended by the bill, but still we have not seen what this government's road safety strategy will be going forward. It is incomprehensible. We have the time, in a legislative sense, to look at rectifying all of these acts, but we do not have time to think about what our next step will be in order to bring our road toll down.

Substantive action can never be replaced by the need to look only at the micro issues. It has been and remains my view that the government has done the right thing in bringing forward a bill that revises statute law, but much more needs to be done. It speaks volumes about the priorities of this government when you recognise that of the many acts that are revised by this bill, some have not come before this Parliament previously other than to have errors fixed up or unnecessary double quotation marks removed or the insertion of missing commas. All of that is dutiful, diligent work done appropriately by parliamentary counsel, but in many ways it reveals a government that has lost its way.

The government has lost sight of what it needs to do and has so misapplied the time of this Parliament that it cannot recognise that parliamentary time should be more about how we can substantively lift the material terms of the people of Victoria, how we can debate the issues that matter to the people of Victoria and how we should not spend time on or misapply our efforts to what is nothing more than self-described, non-substantive amendments. This will not fix the problem. To refer to Shakespeare again, in this situation he might have said. 'Frailty, thy name is Ted' — and that frailty in terms of government vision and action ultimately will be reflected in how little substantive action this government has taken.

Mr McCURDY (Murray Valley) — I rise to speak in the debate on the Statute Law Revision Bill 2012. My contribution follows that of the member for Tarneit, and I am sure members are looking forward to it! It is a

very narrow bill, as we heard earlier from the member for Broadmeadows and the member for Tarneit. The member for Sandringham talked about the narrow way this bill presents, as there is really not much to it apart from crossing t's and dotting i's. There are in fact 57 acts that need to be updated to make sure that they are factual and punctuated correctly. As I said, this bill makes minor amendments to 57 different items, and it corrects grammatical and typographical errors to update references and for similar purposes. It also repeals spent provisions of some of the acts.

Statute law revision bills are a regular mechanism for reviewing statute law in this state. The bill before the house today is important for the orderly management of the state's statutes so that laws remain clear, relevant and accurate, which is what we want them to be — that is for sure. The bill corrects a number of ambiguities and minor omissions and errors found in statutes to ensure that the meaning of acts is clear and reflects the intentions of Parliament. The bill should be seen as part of the Victorian Parliament's regular housekeeping arrangements, and the government has an obligation to bring forward legislation of this nature on a regular basis to ensure that the law of Victoria is as current as possible. The bill makes technical improvements to the state's statutes rather than substantive amendments. As we have heard from other speakers, the technical corrections effected by this bill will make it easier for the state's statutes to be administered, interpreted and applied.

There are 57 items, as I have mentioned, that require minor changes. I wish to bring one of these to the attention of the house — that is, the Road Safety Amendment (Hoon Driving and Other Matters) Act 2011. This act implemented a range of the government's important antihoon driving policies. It delivered on the coalition's pre-election commitment to strengthen antihoon laws to reduce the damage to Victorian families caused by reckless driving and antisocial behaviour. In particular the act strengthened the vehicle impoundment scheme set out in part 6A of the Road Safety Act 1986.

The vehicle impoundment scheme provides for the imposition of vehicle impoundment, immobilisation and forfeiture sanctions for a range of serious traffic offences, including offences commonly characterised as hoon driving offences. These include high-level speeding offences; offences involving loss of traction; street racing offences — and we all know the damage these do in both metropolitan and regional areas; either deliberately or recklessly entering a level crossing when a train is approaching; refusing to stop when directed by police; and driving while disqualified. The Road

Safety Amendment (Hoon Driving) Act 2010 provided that from 1 July 2011 vehicle impoundment sanctions would also apply to unlicensed driving, drink driving and drug driving.

The imposition of vehicle impoundment, immobilisation and forfeiture sanctions has proven to be effective in discouraging dangerous driving behaviour. However, there continue to be opportunities to improve the legislation and realise further road safety benefits. This bill therefore amends the vehicle impoundment scheme in a number of key respects. It extends the period for which police can immediately impound or immobilise a vehicle upon detection of a relevant offence to up to 30 days. Previously the period for which police could immediately impound or immobilise a vehicle was only 48 hours. This period was scheduled to be increased to 14 days as of 1 July 2011 in accordance with the Road Safety Amendment (Hoon Driving) Act 2010.

That is one of the 57 changes being made in this bill. The introduction of longer immediate impoundment or immobilisation periods of around one month has proven to be very successful in other Australian jurisdictions, such as Tasmania, and also internationally. It was the government's view that a 30-day period was appropriate and should be implemented in Victoria. Immediate impoundment or immobilisation of vehicles by police for 30 days will help to further deter unsafe driving behaviour and make Victorian roads safer for everyone.

In Wangaratta, in the heart of the Murray Valley electorate, the *Wangaratta Chronicle* recently ran an article that highlighted the use of this new legislation in my electorate. The article said that a driver who was allegedly travelling at 50 kilometres over the speed limit on his way to a funeral had his car impounded for 30 days. Highway patrol officers on the Hume Highway in Wangaratta intercepted a Sydney-based P-plater who was allegedly doing 160 kilometres per hour while two passengers were asleep on the back seat. That car was impounded for 30 days, and the driver is to face court on speeding charges. These are examples of how these laws are making a difference on Victorian roads and how our laws are being kept relevant and up to date.

Victoria Police have reported that from the introduction of hoon laws in 2006 and up until July last year they have impounded more than 14 500 vehicles. About 96 per cent of hoon offenders are male and about 41 per cent are aged between 18 and 21. The 30 to 39-year-old age group is the fastest growing group of hoon offenders, increasing from 11 per cent of offenders in

2006 to 17 per cent of offenders in 2011. More than 45 per cent of hoon offenders are fully licensed drivers, with probationary drivers making up 38 per cent of offenders. Excessive speed is the most common offence, followed by improper use of a motor vehicle.

Another item in the Statute Law Revision Bill we have before us this evening to which I wish to bring to members' attention is the set of minor modifications to the Gambling Regulation Act 2003. This was an act to re-enact and consolidate the law relating to various forms of gambling and to establish a Victorian Commission for Gambling Regulation. Its main objectives included fostering responsible gambling in order to minimise harm caused by problem gambling while accommodating those who gamble without harming themselves or others, including their families.

These are matters in which I obviously have a particular interest, being a member of the inaugural board of the Victorian Responsible Gambling Foundation, along with some of my colleagues. I have a keen interest in gambling, and I attended a problem gambling workshop with Professor Alun Jackson at Wodonga in October 2011. Problem gamblers often show multiple signs of stress and require assistance with other issues, such as depression, anxiety and domestic and/or emotional violence. Problem gambling is something that cuts deep in our community and spans many parts of it. It encompasses more issues than just gambling problems. Members of our communities can be vulnerable, and we need to continue this fight against problem gambling.

As I mentioned, fellow parliamentarians the member for Caulfield and the member for Geelong are also assisting on this board, and it will be interesting as we move forward to see whether we can make the appropriate changes and keep them relevant to gambling.

The Victorian coalition government has shaped this new foundation on the successful VicHealth model, a body that also includes bipartisan representation by three parliamentarians on its board. The coalition government has committed record funding over four years to establish and operate this foundation, making it the largest financial commitment to tackling problem gambling in Australian history. This landmark reform and responsible gambling policy is a key element of the coalition government's strategy to reduce the prevalence and severity of problem gambling in Victoria.

I do not want to go through all 57 items on this bill. If the Acting Speaker were to grant me an extension of

time I could continue, but I think it is only appropriate that I give somebody else a bit of a go at this hour of the night. I just want to say that consultation has been taken.

An honourable member interjected.

Mr McCURDY — Yes, I try to be a team player where possible. There are no financial implications or impacts for local governments, other state governments or the federal government out of this bill, and I commend the bill to the house.

Mr MADDEN (Essendon) — I think it was the very famous Sir Alex Ferguson, the Premier League football coach in England to whom I often refer, who said that every little thing you do can work for you or against you.

I think that is certainly the case when it comes to legislation — when it comes to any law, really. There are many laws, whether they be the laws of Parliament, the laws of the land, the laws within science or the laws within business, and what is interesting is that there is a law of unintended consequences. We have seen a bit of that this week when it comes to Melbourne Water. There is Murphy's Law, and with this government that is very possible — anything that can happen will happen. There is also a law that I have become acquainted with only recently. It is the law of the vital few, which is also known as the Pareto principle. The Pareto principle, also known as the 80–20 rule, the law of the vital few and the principle of factor sparsity, states that for many events roughly 80 per cent of the effects come from 20 per cent of the causes.

Dr Sykes — On a point of order, Acting Speaker, I realise that the schedule to the bill covers 57 items and that gives a speaker of a lot of scope, but I am just not sure where any of the laws raised by the current speaker fit into those 57 items. I am wondering whether you could bring the member back to the bill, Acting Speaker.

The ACTING SPEAKER (Mr Blackwood) — Order! I do not uphold the point of order; however, I ask the member to come back to the bill. It is fairly broad, but I do not recall seeing Murphy mentioned in the bill.

Mr MADDEN — The point I am trying to make not only to the government but also to the member for Benalla is that whenever you create a law it is the detail that makes or breaks that law. If you make laws for everybody, then you want to ensure that you dot the i's and cross the t's. Punctuation is very important; the apostrophes are very important. In this day and age a

spellcheck will correct your spelling and your grammar, but often it does not correct the punctuation to the extent that it should. The great risk in any administration, whether it be office administration, government administration or administration of the Parliament, in the way in which people draft any great document, large or small, is that if you rely on that technology, the punctuation is a critical issue you need to get right. You need to understand that, because it is not necessarily going to be corrected unless you understand what the punctuation does.

When it is an apostrophe that can create a plural or not, or many plurals, then you have to be particularly careful of it, but it seems that when this government develops its laws they are very much based on the Pareto principle. That principle which I introduced into this debate is based on a suggestion by a gentleman by the name of Joseph M. Juran. He suggested this principle and named it after the Italian economist, Vilfredo Pareto, who observed in 1906 that 80 per cent of the land in Italy was owned by 20 per cent of the population. He developed this principle by also observing that 20 per cent of the pea pods in his garden contained 80 per cent of the peas.

I am drawing a long bow here, but the issue is really that what we are seeing is that there are so few laws being presented by this government that 80 percent of its effort is probably going into 20 percent of the laws for 20 percent of the people. It is so acute that in a sense the legislation itself is not nearly so widespread or reformist across a broad scope as it should necessarily be. My concern is that what we are seeing put in place by this government in any laws it creates is the Pareto principle, which is the law of the vital few. What we are seeing here is more of that.

Here we have important legislative time that could be devoted to significant reform, but it is not; it is being devoted to dotting the i's and crossing the t's. There is no doubt that you have to do that and make sure that you always do it, but if you leave your Wednesday afternoons — which I would have thought is when you would introduce your big legislation, where you are doing most of the hard work — to just the peripheral stuff, that is a sad indictment of this government. It is a sad indictment because there are many things we could tackle. There are many things we could be doing, but we are not doing them.

This bill is not even tidying up red tape. This is what comes to cabinet — and I speak from experience here — when its members do not have much to do. Not only do its members not have much to do — —

Dr Sykes interjected.

Mr MADDEN — Good point, Dr Sykes. I take up Dr Sykes's interjection, 'How many times did you introduce these bills?'. I suspect it was not often, because members of the previous government were pretty busy most of the time. This government, within its first 18 months and with Parliament having just debated the budget, has introduced the Statute Law Revision Bill 2012. This is the time when the government should be introducing the big bills and really doing some of the grunt work for later in the term so that it has things to show.

What is great about this bill is that members of the government will be able to say, 'Oh, we fixed up those full stops'. I cannot wait until the Premier gets up in a debate and says, 'Well, we tidied up that legislation; we fixed the full stops'.

Mr McGuire interjected.

Mr MADDEN — Yes: 'That apostrophe that made it plural, we changed it back to singular'. I think members will find that there is a lot of that in the amendments. I suspect that if we on this side ever get back into government, we will be changing the apostrophes more to plural rather than singular or selective than the government has done in this bill.

Again I refer back to the notion of the law for a vital few. This government is about laws for a vital few — the not only selective but exclusive domain of the conservatives. It is about not only dealing with people who reflect the interests of the conservatives but serving their interests as well.

Mr Watt — On a point of order, Acting Speaker, this particular bill deals with 57 pieces of legislation that the government is fixing. I am not sure that talking about what is not in the bill constitutes speaking on the bill. I am not sure that speaking about what is not being done or is being done outside those 57 acts is within the purview of this particular bill. I ask you to draw the member back to the bill.

The ACTING SPEAKER (Mr Languiller) — Order! I do not uphold the point of order, but I call on the member to come back to the bill.

Mr MADDEN — To come back to the famous words of Sir Alex Ferguson, whom I mentioned at the beginning of my contribution: every little thing you do will work for you or work against you. What we are seeing here is the government tidying up those little things. That might work for it in tidying up legislation but unfortunately those little things are stopping the

government from doing the big things it needs to do and is not doing.

We are in Parliament on a Wednesday afternoon at the end of a session when the government should really be doing the heavy lifting and putting forward a big agenda, but there is no agenda. This is a great tragedy for the people of Victoria, who over time will see that this is a government for which the status quo that serves its members will prevail. I come back again to the Pareto principle: effort goes into the 20 per cent that government members are interested in looking after, and they ignore the 80 per cent where they need to do the hard work. I say to all those on the other side — —

Mr Watt — On a point of order, Acting Speaker, it appears to me that the member opposite wants to speak on the government business program, which he may have missed out on doing in the debate yesterday, rather than on the bill that is before the house. I ask you to draw him back to the bill and the 57 acts it amends.

The ACTING SPEAKER (Mr Languiller) — Order! The member will come back to the bill.

Mr MADDEN — It is a great tragedy that unfortunately government members are not doing the heavy lifting; they are just crossing the t's and dotting the i's.

Mr ANGUS (Forest Hill) — It is a pleasure to rise this afternoon to speak in support of the Statute Law Revision Bill 2012. As other contributors to the debate on both sides have noted, this is an interesting bill. Like all bills, it has a very clear purpose. That is identified in clause 1, which states:

The purpose of this Act is to revise the statute law of Victoria.

The bill makes amendments to a total of 57 broad-ranging acts across Victoria's statute book. I will come back to and address a number of those in a few minutes.

As I said, the bill does a range of things. It corrects ambiguities, minor omissions, minor errors, spelling errors and grammatical errors and inserts any omitted consequential amendments. It is essentially part of the Parliament's regular housekeeping arrangements. The bill makes technical improvements to the state's statutes rather than any substantive amendments.

Despite the fact that the bill has been approached in a wide-ranging manner, it is nevertheless a very important bill for this Parliament because it does the necessary tidying-up work in relation to old acts, regulations and legislation. It is very important in the

housekeeping of the Parliament to make sure that we deal with those matters, particularly so that they are not perpetuated — that is, so that they do not go on and on without being identified and fixed at the earliest opportunity.

This bill, despite what members on the other side might say, has been put up by a responsible government, the Baillieu government, and it reflects the attention to detail that is one of the necessities of running any jurisdiction, and certainly the Victorian one. That attention to detail is a hallmark of this government. We all know the importance of paying attention to detail and to the little things, because in the long run it can be those little things that count and are very important in a range of areas. As others have mentioned, this housekeeping bill dots the i's and crosses the t's, and it does so to make sure that any errors and omissions are dealt with rather than just being allowed to accumulate and continue to be on the statute book. It is the type of bill that is required regularly. It is important, and despite its unusual nature it should not be underestimated.

I want to turn my attention to some of the specifics of the 57 acts that are amended by this bill. I refer particularly to item 44, the Road Safety Act 1986; item 45, the Road Safety Amendment (Hoon Driving and Other Matters) Act 2011; item 46, the Sentencing Act 1991; item 47, the Sentencing Amendment (Community Correction Reform) Act 2011; and item 48, the Sex Offenders Registration Act 2004. They are just a small sample of the pieces of legislation that are amended by the bill, but they highlight the importance of sorting out any errors, omissions or other matters that need attention in these significant areas.

I refer first to the Road Safety Act and the Road Safety Amendment (Hoon Driving and Other Matters) Act. All members in this place, and indeed all Victorians, understand that the issue of law and order was very high on the agenda of the coalition team leading up to the 2010 election, and it has clearly remained so since we have been in government from that time. It is important to deal with matters as they arise. On the issue of law and order, the hoon driving amendment to the Road Safety Act was a major reform that the coalition took to the next level after it came into government. We decided to get serious about it, and we went to the people with the policy that we would get serious about hoon driving.

We all know what a scourge hoon driving is on the broader community. I am sure most members of this place know of examples of outrageous hoon driving behaviour in their own electorates. I can think of some

in my electorate and neighbouring electorates. I am thinking of one particular hoon driver on Canterbury Road in the electorate of Box Hill, which is a boundary of my electorate. He was clocked driving at more than 190 kilometres an hour in a 60-kilometre-an-hour zone. He was caught on a speed camera in that location on Canterbury Road and was subsequently dealt with.

That is the sort of outrageous hoon driving we are not prepared to tolerate. Offenders will no longer get the slap on the wrist they once got. They now will forgo access to their motor vehicles for a 30-day period, which is a serious amount of time. If those offenders do not change their ways, those vehicles will be crushed. This government makes no apology about that because, as I said, hoon driving is totally unacceptable. I also mentioned other aspects of hoon driving which we all see evidence of, I am sure, in the form of burnouts, wheelie marks and so on. That is behaviour that is not acceptable to the broader community. That behaviour should be restricted to racing car tracks or some other supervised off-road location rather than being exhibited on the public highway. It is very important that these matters be dealt with.

The Attorney-General has brought into this place a range of very important amendments to the Sentencing Act 1991 in respect of formerly existing sanctions for incurred offences. It is very important that parts of the legislative program that the Attorney-General has responsibility for continue to be brought into this place at the earliest opportunity, because as I said, this government wants to send a very clear message to those in the community who want to transgress. There seems to be no shortage of those people.

I am thinking about my own electorate of Forest Hill. I am sad to report that there was a very serious armed robbery at one of our supermarkets earlier this week. There was a menacing attack on innocent people who were going about their lawful business. Employees of the particular supermarket and passers-by in the street were confronted by these offenders. That is the sort of behaviour that is totally unacceptable to the broader community. I absolutely regret that any community member or any employee was a victim of such an attack.

That is an example of why attending to the sorts of matters we are talking about in the debate on the Statute Law Revision Bill 2012 is so important — we are able to tidy up those matters. Item 46 of the schedule deals with the Sentencing Act 1991 and item 47 deals with the Sentencing Amendment (Community Correction Reform) Act 2011. From a legislative point of view, the important law and order message continues to be rolled

out in the community. That is a clear message that is a hallmark of this government. I am sure we will continue to argue for it and advocate it; we will bring legislation into this house to ensure that we are addressing matters involving adverse and antisocial behaviour within the broader community.

The bill deals with a broad range of other pieces of legislation. The bill might be considered by some to be unimportant, but it is an important bill because it keeps the statute book up to date and ensures that the range of matters addressed that need attention, modification and correction are dealt with. It is important that the statute book be kept up to date and kept tidy. On that note, I support the bill and commend it to the house.

Ms RICHARDSON (Northcote) — I rise to speak in the debate on the Statute Law Revision Bill 2012. As other speakers have highlighted, this bill makes a number of minor amendments to some 57 acts that are currently on the Victorian statute book. I understand that the Scrutiny of Acts and Regulations Committee has had a look at the bill in some detail. The committee members have identified that the bill corrects minor errors and omissions that are contained within various acts on the statute book. This bill corrects name changes that have been made to government departments and agencies so that people can refer to those bodies correctly when they dive into acts and want to follow up in relation to whom they should or should not be speaking to.

The bill repeals certain sections or parts of acts that are no longer relevant or enforced. The bill also deals with ineffective legislation and affects instructions that arise from legislation that need to be amended and remedied as part of the processes of government. This is an important measure that parliaments and governments need to undertake. Acts sitting on the statute book need to be looked at. Changes need to be made, areas need to be corrected and instructions need to be clarified based on legislation that is on the statute book. This is an important measure.

However, this bill provides us with an opportunity to compare and contrast it with other pieces of legislation that have been brought before the house. There are pieces of proposed legislation that have not been before Parliament. Many commentators, not only me, have obviously noted the lack of legislation that has come before Parliament. The government has been in power for well over 18 months. We are still waiting to see various reforms and legislation come before us so that we can debate them and deal with them on behalf of all Victorians.

The Olympics are coming up, and if sitting on your hands or hiding under your desk were Olympic events,

I have no doubt that a number of ministers would be gold medal prospects for Australia. That would happen if doing nothing were considered to be a special event at the Olympics. We have not seen a great deal of action. We have not seen shoulders to the wheel. We have not seen legislation come through this place in any significant degree. A number of commentators have remarked on the lack of effort on the part of the government in delivering some sort of legislative program for all Victorians, as was promised and committed to before the last election. I note too that a number of transport acts are being amended. Again these are minor amendments being made by the bill that has been put before the Parliament.

These, as I said and as SARC has identified, are minor amendments. Nonetheless they represent things that need doing — clean-ups that need to be undertaken — so that what is represented on the statute book is what people are referring to when they are dealing with anything to do with the Department of Transport. As I said earlier, the bill is not being opposed by the opposition. Concluding this brief contribution, I commend the bill to the house.

Debate adjourned on motion of Mr WELLS (Treasurer).

Debate adjourned until later this day.

LOCAL GOVERNMENT LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2012

Statement of compatibility

Mrs POWELL (Minister for Local Government) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (charter act), I make this statement of compatibility with respect to the Local Government Legislation Amendment (Miscellaneous) Bill 2012.

In my opinion, the Local Government Legislation Amendment (Miscellaneous) Bill 2012, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter act.

Overview of bill

The bill has the following main purposes:

1. to generally improve the operation of councils and council elections;
2. to provide for the appointment of a probity auditor;

3. to amend the method by which interest is charged on unpaid rates and charges;
4. to clarify costs matters in VCAT hearings into councillor misconduct.

Human rights issues

The bill engages the following human rights:

1. *Recognition and equality before the law — section 8 of the charter act*

Clause 17 repeals section 101(2) of the Local Government Act 1989 (act). Section 101(2) provided that the Local Government (Long Service Leave) Regulations 2012 (long service leave regulations) cannot reduce or adversely affect the position of council staff in respect of their service or reduce their entitlements held at the time of the Local Government Act 1958 and prior to the 1989 act.

The effect of section 101(2) was to preserve privileges in the current long service leave regulations which are out of step with current norms, and which discriminate based on marital status and whether a person has children.

Repealing section 101(2) of the act therefore removes the preservation of the rights held at the time of the 1958 act, and as such positively engages section 8 of the charter act.

2. *Privacy and reputation — section 13 of the charter act*

Clause 7 repeals section 57 of the act, which made it an offence to make or publish false or defamatory statements in relation to a candidate in a council election.

Although clause 7 engages a candidate's right not to have his or her reputation unlawfully attacked, it does not limit this right. The Defamation Act 2005 (Defamation Act) already codifies the common law of tort of defamation, providing a person with a right of action if another person makes a defamatory statement about them. This effectively covers the types of statement to which section 57 of the act is intended to apply. Furthermore, not only were prosecutions under section 57 very uncommon, under the Defamation Act courts are provided with a wide discretion to impose damages up to \$250 000 for non-economic loss, which is considerably more than the penalty under section 57 of the act.

Clause 9 requires the chief executive officer of a council to make available on the council's internet website the names of candidates in an election that submitted their election campaign donation return, and the names of persons that made a gift and the total value of the gifts.

The type of information provided under clause 9 does not arbitrarily breach a person's right to privacy, since it is already public information under the act, and is only limited to ensuring full disclosure of donations provided to fund election campaigns of candidates. Since council decisions can have a significant impact on people and the community, the stakes involved in council elections are quite high. As such, certain people may donate generously to the election campaigns of candidates. Public transparency in regard to such donations is therefore essential.

Clause 18 allows a probity auditor to require a councillor or member of council staff to produce documents, provide information or give reasonable assistance where it will assist

in his or her duty to monitor council processes in dealing with a complaint about a council chief executive officer. Such information may include private information. This amendment does not interfere with the councillor's or member's privacy, since the material is limited to information relating to council processes, and furthermore it is a key role of the auditor to monitor the integrity of council processes to ensure that the privacy of personal information is protected.

Clause 20 amends section 139(4A) of the act to require that members of council audit committees lodge primary and ordinary returns, disclosing members' interests including interests in a corporation or land within the municipality.

This amendment is lawful and does not amount to an arbitrary interference with the member's privacy, especially given members' existing obligations relating to conflict of interests and duties of disclosure under the act. The purpose of such a disclosure and the maintaining of a register are important to ensure transparency and accountability in local government.

3. *Property rights — section 20 of the charter act*

Clauses 21 and 22 positively engage property rights since they provide for the minister to intervene to ensure that the type or class of land specified by a council for the levying of differential rates is fair and appropriate, and for a fairer method of calculating interest payable by ratepayers in relation to unpaid rates and charges, respectively.

Further, clause 28 improves the owner of the vehicle's ability to reclaim their property and therefore positively engages this right.

4. *Fair hearing — section 24 of the charter act*

Clause 32 provides that councils are only liable to bear the legal costs of parties to a councillor conduct panel or Victorian Civil and Administrative Tribunal (VCAT) hearings, where the council is a party to the hearing at its own initiative, rather than in all VCAT hearings. Clause 32 positively engages the right to a fair hearing as it continues to ensure that individual councillors are not disadvantaged when taken to VCAT by a well-resourced council.

5. *Rights in criminal proceedings — section 25 of the charter act*

Clause 18 provides that under new section 108(3) a probity auditor may require a councillor or a member of council staff to produce a document, provide information or give reasonable assistance if the probity auditor considers it will assist in performing his or her duties.

This does not limit the right that a person charged with a criminal offence is not to be compelled to testify against himself or herself or to confess guilt. Under new section 108(4), a failure to comply with such a request of the probity auditor is only reported where the refusal is unreasonable. A person may therefore reasonably refuse to comply, where for instance the person reasonably considers that doing so would result in self-incrimination. Further, the type of information is limited to information that will assist the probity auditor in its role in advising the council on probity issues relating to a complaint against the chief executive officer.

Conclusion

I consider that the bill is compatible with the charter act because it does not limit any human right protected by the charter act.

Jeanette Powell, MP
Minister for Local Government

Second reading

Mrs POWELL (Minister for Local Government) —
I move:

That this bill be now read a second time.

The Local Government Legislation Amendment (Miscellaneous) Bill 2012 will make a variety of amendments to local government legislation to improve the operation of councils. It includes amendments to the Local Government Act 1989, the City of Melbourne Act 2001 and the Victorian Civil and Administrative Tribunal Act 1998.

Amendments to the Local Government Act will improve the conduct of council meetings and clarify decision-making processes.

This includes inserting a clear statement in the Local Government Act about the way council decisions may be made. Council decisions may only be made in a properly constituted council meeting or, if council has delegated its decision-making power to a committee or officer, by that committee or officer.

A council decision must not be made in an assembly of councillors, such as in an advisory committee or in a councillor briefing.

The bill will remove an unenforceable provision that makes it compulsory for all councillors in a council meeting to vote. This will be replaced by a provision specifying that a majority of the councillors in the meeting must vote in favour of a motion before the motion can pass. This will allow a councillor to abstain from voting in a meeting, but the abstention will not alter the number of votes required for the motion to pass.

A councillor who has left the meeting because of a conflict of interest, or who is otherwise absent, is not counted as either having voted or as an abstention for the purpose of this provision.

The bill also includes some specific procedural improvements for conflicts of interest. These include allowing a councillor with conflicts of interest in sequential items before council to make all his or her

disclosures before the first item, rather than having to re-enter the meeting to disclose for each one.

A councillor who has a conflict of interest in an item in the council plan will be able to vote on the final council plan if, and only if, council has previously voted to include that item in the plan and the councillor disclosed the conflict of interest when the previous vote was taken. It is important that all councillors are able to participate in approving the council plan.

Some amendments deal with processes to be followed when dealing with alleged misconduct. New provisions will allow the appointment of a probity auditor, at the discretion of the Secretary of the Department of Planning and Community Development.

A probity auditor may only be requested by a chief executive officer or a mayor. A council does not require the ability to request a probity auditor, as it has the power to appoint a probity auditor at its own discretion.

The role of a probity auditor would be to monitor internal council processes where there has been a formal complaint of bullying, victimisation or harassment against the chief executive officer. The probity auditor may also provide advice to the council.

A probity auditor's area of interest will be limited to council processes in relation to the complaint. He or she will not deal with the substance of the complaint, which will continue to be subject to any relevant judicial, administrative or contractual arrangements.

At the conclusion of an audit, the probity auditor will provide a report to the council, the mayor, the chief executive officer and the secretary.

In regard to councillor conduct matters, an amendment to the VCAT act will help clarify some issues in councillor conduct hearings.

An existing provision, which requires the council to pay the costs of individual councillors in a VCAT hearing, will be limited to situations where the council is the applicant in VCAT or where the council voluntarily becomes a party to the matter.

The purpose of this amendment is to remove a possible inducement for individual councillors to apply for their councillor conduct panel matter to be referred to VCAT so that council will have to pay their legal costs. It will retain the protection for an individual councillor when the council has initiated action against him or her in VCAT.

The members of a councillor conduct panel are required to be parties to any application to VCAT when there has been an application for a review of the panel decision. The bill will extend the term of office of panel members to the end of any such VCAT hearing. This is to ensure that panel members continue to be subject to immunity under the Local Government Act and they continue to be paid by the council.

A significant amendment in the bill will require each chief executive officer to publish a summary of election campaign donations, disclosed by candidates in the council's elections, on the council's website. This will include the name of each donor and the value of the donations made by each donor.

The bill will remove a provision making it an offence to defame a candidate in a council election. This is an inappropriate and ineffective provision. Defamation is treated as a civil matter in state and federal elections and should be the same in local government elections.

The bill will alter the meeting requirements for regional library boards. Currently regional library boards must comply with meeting requirements that apply to councils, which imposes some unnecessary burdens. The bill will allow members of a library board to attend meetings by electronic means, subject to approval of its local law by the member councils.

Significant reforms are proposed to legislation relating to the levying of differential rates. This is in response to a recent trend for councils to use differential rates in ways that discriminate against particular industries or businesses by imposing artificially high rates on them.

The bill includes a head of power for the minister to issue guidelines on the appropriate uses of differential rates. Councils will be required to have regard to the guidelines when setting differential rates.

If the minister considers that the imposition of a differential rate will be inconsistent with the guidelines, he or she will be able to seek an order in council to prevent the levying of a differential rate in respect of the particular type or class of land.

The bill will require councils to publish details of differential rates on the internet as well as increasing, from 30 to 60 days, the time allowed for a person to seek a review in VCAT about the way their land has been classified for differential rating.

An amendment is also proposed to the way penalty interest is calculated on unpaid rates and charges. In future, penalty interest will only be payable from the date when each quarterly instalment is due. This will

apply even when a council allows payment in a lump sum. If a lump sum is not paid on time, penalty interest will be calculated as if the rates were being paid in instalments.

The bill includes a number of administrative changes.

Members of council audit committees, who can have access to confidential and sensitive information, will be required to lodge regular returns in which they disclose their interests.

An obsolete provision, preserving long service leave rights in a way that is inconsistent with the Charter of Human Rights and Responsibilities Act 2006, will be repealed.

Provisions allowing councils to dispose of unregistered and abandoned vehicles will be amended to mirror provisions in the Road Management Act 2004, applying to VicRoads. This will include having to take reasonable steps to notify a vehicle's owner before disposing of the vehicle.

As titled, this bill will make a number of miscellaneous amendments to local government legislation. Some of these amendments are quite significant and the bill will substantially improve the administration of local government in Victoria.

I commend the bill to the house.

Debate adjourned on motion of Ms NEVILLE (Bellarine).

Debate adjourned until Wednesday, 4 July.

RACING LEGISLATION AMENDMENT BILL 2012

Statement of compatibility

Dr NAPHTHINE (Minister for Racing) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (the charter act), I make this statement of compatibility with respect to the Racing Legislation Amendment Bill 2012.

In my opinion, the Racing Legislation Amendment Bill 2012, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter act. I base my opinion on the reasons outlined in this statement.

Overview of bill

The main objectives of the Racing Legislation Amendment Bill 2012 are to amend the Racing Act 1958 (act) to:

- i. permit licensed bookmakers to accept bets using a method of approved communication at off-course premises;
- ii. remove the 1 per cent turnover ceiling relating to the bookmaker's licence levy; and
- iii. enable the racing integrity commissioner (RIC) to share integrity related information with four new specified bodies.

Finally, the bill provides for a raft of miscellaneous amendments to correct typographical errors and other minor discrepancies in the act.

Human rights protected by the charter act that are relevant to this bill**Privacy**

'Section 13 — Privacy and reputation

A person has the right —

- (1) *not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with; and*
- (2) *not to have his or her reputation unlawfully attacked'*

Power of the racing integrity commissioner to disclose information

Section 37E of the Racing Act 1958 is being amended by the bill to give the racing integrity commissioner (RIC) the power to disclose integrity-related information to four additional bodies, including the Australian Crime Commission, the Australian Securities and Investments Commission, the Commonwealth Services and Delivery Agency (Centrelink) and the Ombudsman Victoria. This power involves the disclosure of information that may include personal information.

The 2008 *Report on Integrity Assurance in the Victorian Racing Industry* (the Lewis report) cited 'the difficulty in dealing with unlicensed persons, and particularly ... matters drawn to [Judge Lewis's] attention by Victoria Police' as highlighting the need for section 37E. The power of the RIC to disclose information to Victoria Police and other law enforcement agencies and persons is an integral part of the government's strategic approach to bolstering integrity assurance in the Victorian racing industry.

This power is necessary in instances where information is forthcoming that relates to alleged breaches of the rules of racing, the potential commission of criminal offences, or other general matters concerning possible breaches of integrity in the racing industry. It is essential to any subsequent investigation that 'integrity-related information' is disclosed to enable a full and proper investigation by the appropriate agency.

Whilst the four additional bodies have been specified by way of ministerial order under section 37E(1)(j)(ii), specifying the four bodies under section 37E(1) of this bill will ensure added legislative transparency.

The exercise of this function will serve to strengthen the public perception that the utmost is being done to ensure the integrity of the industry is upheld and to protect all its participants.

Freedom of expression

'Section 15 — Freedom of expression

- (2) *Every person has the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds, whether within or outside Victoria and whether —*

...

- (c) *in print; or*

- (3) *Special duties and responsibilities are attached to the right of freedom of expression and the right may be subject to lawful restrictions reasonably necessary —*

...

- (b) *for the protection of national security, public order, public health or public morality'*

Approval of off-course premises for remote betting

Whilst section 15 of the charter act establishes the right of expression in print, this right is subject to reasonably necessary lawful restrictions in the interests of protecting the public health. It may be argued that the prohibition on publishing prohibited advertising in relation to off-course premises (as being inserted by clause 7 of the bill) may infringe on a person's ability to advertise freely.

The purpose of the prohibition of publishing prohibited advertising is reasonably necessary for the protection of public health and public order. The proposed measure will enable bookmakers to legally accept telephone and internet bets at approved locations without being required to be physically present at a racecourse. It is not intended to facilitate the expansion of wagering. Any direct or indirect expansion of wagering activity beyond what is already mandated in the bill is discouraged by way of penalties under new section 4I in the interests of protecting public health and public order, including the prohibition on prohibited advertising.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities Act 2006 because, to the extent that any provisions of the bill engage human rights, those provisions do not limit any human rights.

Hon. Dr Denis Napthine, MP
Minister for Racing

Second reading

Dr NAPTHINE (Minister for Racing) — I move:

That this bill be now read a second time.

The Racing Legislation Amendment Bill 2012 will provide for the implementation of a number of necessary reforms to the Racing Act 1958 (the 'act').

Firstly, the bill will enable the Victorian bookmaking profession to compete more effectively by permitting registered bookmakers to accept bets via telephone and the internet at an approved off-course premises. This will remove the requirement for bookmakers to be physically present on a racecourse to accept those types of bets. Bookmakers will still be required to be on-course to accept cash bets.

Secondly, the bill will remove the current ceiling for product fees charged by Victorian racing controlling bodies to Victorian registered bookmakers as part of the bookmaker's licence levy. This amendment is being made to enable Racing Victoria to implement a new product fee pricing model for wagering service providers and to ensure that the racing industry can obtain a fair and reasonable return for its product.

The bill will also strengthen integrity assurance in the Victorian racing industry by formalising, through legislation, the authority for the racing integrity commissioner to share integrity-related information with four new specified bodies.

Finally, the bill provides for various miscellaneous amendments to correct typographical errors and other minor discrepancies in the act.

Permit bookmakers to accept bets via telephone and internet without being physically present on a racecourse

Currently, Victorian bookmakers can only accept bets while they are located on a licensed racecourse. Such betting can occur face to face as part of a race meeting, or at any other time using a method of communication approved by the minister — that is, via telephone or the internet provided they (the bookmaker) are located on a racecourse at the time the bets are accepted.

This arrangement was established by the government, with support from the racing fraternity, as a way to provide Victorian bookmakers with the opportunity to effectively compete in the off-course wagering market, while ensuring ready access for racing stewards to bookmakers and their betting records.

The system as it is currently structured presents a unique set of challenges for Victorian bookmakers. From a logistical perspective, Victorian racetracks were not designed to accommodate the demands of a modern bookmaking business, which may require housing for IT infrastructure, traders, marketing, customer service, analysts and administration. This potentially limits the opportunity for Victorian bookmakers to grow their businesses.

From an occupational health and safety perspective the requirement to have administrative staff operating in such isolated circumstances poses unacceptable security risks, particularly at night or during non-race days. The government understands that this has made it difficult for some bookmaking businesses to attract appropriate staff.

These constraints limit the ability of Victoria bookmakers to compete with the major bookmaking companies located interstate and overseas.

From a regulatory perspective, electronic betting via telephone and the internet can only be legally conducted according to methods approved by the minister and is tightly monitored and regulated by racing controlling bodies. The government has been assured by racing regulators that the physical location of bookmakers has no impact on the capacity of the industry to monitor remote betting.

The government is committed to reducing the burden for these bookmakers and ensuring their survival by amending section 4 of the act to remove the requirement for bookmakers to be physically present on the racecourse in order to legally accept a bet via the telephone and internet.

This amendment does not extend to face-to-face retail betting, which will still only be legal when transacted on a licensed racecourse at which a race meeting is taking place. It is important to note that this amendment will not result in any additional opportunities for gambling, and will ensure that Victorian registered bookmakers can effectively compete with interstate-based wagering providers.

Remove the ceiling for product fees charged by the racing industry to licensed bookmakers as part of the bookmaker's licence levy

Section 91B of the act allows a racing controlling body to impose a periodic levy on bookmakers up to, but not exceeding, 1 per cent of the bookmaker's betting turnover. The levy was introduced in 2000 to replace a former turnover tax on bookmakers' wagering turnover.

In 2005, Victoria enacted race fields legislation to require wagering service providers licensed elsewhere within Australia to pay a fee for the publication and use of Victorian racing data. Similar provisions have since been enacted in each Australian jurisdiction. The Victorian legislation is silent on the level or preferred method for calculation of race fields fees and has deliberately been structured that way to provide the Victorian racing industry with control over its own commercial decisions.

In November 2008, RVL introduced a new model for charging a fee to interstate totalisators, bookmakers and betting exchanges betting on Victorian thoroughbred racing. Under this model, fees are calculated on the basis of a wagering provider's gross revenue (i.e., profit) rather than its wagering turnover.

Racing Victoria has recently announced that it intends to return to a turnover-based pricing model. There is currently no regulatory impediment to implementation by RVL of its new policy in respect of bookmakers registered outside of Victoria. The removal of the ceiling on the bookmaker's licence levy will enable RVL to implement its new pricing model on a consistent basis regardless of the location of the wagering operator.

Specify new bodies to whom the racing integrity commissioner may disclose integrity-related information

In order for the racing integrity commissioner to effectively carry out his duties, access to reliable information is paramount, as is his capacity to share that information with appropriate agencies. Section 37E of the act specifies a number of agencies to which the commissioner may disclose integrity-related information, along with a definition of what constitutes integrity-related information.

Whilst a number of agencies were included as part of the establishment of the office of the racing integrity commissioner, it was always intended that the commissioner should advise government if he believed that additional bodies should be specified in order to assist him in his work.

The commissioner has written to the government requesting that the Australian Crime Commission, the Australian Securities and Investments Commission, the Commonwealth Services Delivery Agency (Centrelink) and Ombudsman Victoria should be included as bodies to whom the commissioner may disclose integrity-related information.

This bill will further support the important work of the commissioner, by providing him with increased information-sharing arrangements.

Miscellaneous amendments

Finally, the bill provides for a number of miscellaneous amendments required to resolve typographical errors and other minor discrepancies in the act.

Section 83OA(3) relates to actions of Greyhound Racing Victoria. 'HRV' is mistakenly referenced in this section and will be replaced with 'GRV'.

Several provisions of the act require amendment to ensure consistency in terms of the time available for persons to appeal to the relevant racing appeals and disciplinary boards against penalties. The racing integrity commissioner has advised that some participants may be unfairly disadvantaged by the current provisions and he has recommended an amendment so that the timing for appeals is the same for all participants. The discrepancy is unintended and occurred as part of the bill drafting process.

Section 37F currently requires the racing integrity commissioner to submit the annual report for the office of the RIC before 31 August each year. It further requires that the minister must cause this report to be laid before Parliament within seven sitting days of receipt. This provision will be amended to allow the commissioner additional time to table his annual report.

Mr Speaker, the initiatives under this bill will support the racing industry by bringing greater certainty and clarity to the Racing Act 1958.

I commend the bill to the house.

Debate adjourned on motion of Ms NEVILLE (Bellarine).

Debate adjourned until Wednesday, 4 July.

STATUTE LAW REVISION BILL 2012

Second reading

Debate resumed from earlier this day; motion of Mr McINTOSH (Minister for Corrections).

Mr WAKELING (Ferntree Gully) — It gives me great pleasure to rise to contribute to the debate on the Statute Law Revision Bill 2012. As members who have spoken before me have highlighted, the bill seeks to revise the statute law of Victoria and make minor amendments to a number of acts to correct grammatical

and typographical errors and update references and for other purposes which include the repealing of spent provisions in Victorian legislation. The bill will amend 57 acts on the Victorian statute book. It is important that we ensure that our legislation is up to date, relevant and appropriate and, where needed, amended to overcome any difficulties with grammar or misunderstandings in terms of the application of legislation.

This is a process that Parliament has adopted over many years. I recall that the previous government went through a process of correcting legislation by way of amendments to fix similar problems and also went through a program of removing spent or redundant legislation. In my former capacity as the shadow Parliamentary Secretary to the Leader of the Opposition I had the carriage in this house of many pieces of legislation relating to such issues for the then opposition. As I said, this is something the former government has done. It is clearly technical and administrative in nature but is still an important part of the function of this house.

As I said, 57 pieces of legislation are being amended. For the purposes of the exercise I do not seek to talk about all the acts to which the bill relates, but I would like to make reference to, firstly, the Road Safety Amendment (Hoon Driving and Other Matters) Act 2011, to which the bill seeks to make an amendment. The hoon driving legislation has been a significant piece of legislation in this house. It has provided a clear understanding to the —

Ms Neville interjected.

Mr WAKELING — I am happy to take up the interjection from the former minister at the table. I was not expecting interjections, but the former minister wants to interject. When she was sitting around the cabinet table, if she clearly understood the issues for Victorians with respect to hoon driving, she too would have understood that —

The ACTING SPEAKER (Mr Languiller) — Order! On the bill.

Mr WAKELING — Thank you very much; I am happy to be guided. I remind the member for Bellarine — the former minister, but the member for Bellarine — that this has been an important and significant piece of legislation which has provided a significant benefit to Victorians. No longer are cars driven by hoon drivers put off the road for 48 hours; they are put off the road for up to 30 days for a first

offence and can be off the road for up to six months and can be crushed.

A whole range of other changes have gone into that legislation as well. I know my community is pleased to see that that important piece of legislation is in place. They know it is making a difference. They know first time offenders are losing their vehicles for 30 days. Often it is a vehicle owned by a family member or friend, and that is having an impact on families and causing discussions around the family dinner table about the impact of people's behaviour. I think all of us in the house would agree that the purpose of legislation like that is to change perceptions and people's understanding, and it is having a tangible benefit.

The other act about which I wish to make comment is the Planning and Environment Act 1987. Many members would understand the concerns that residents have had about planning systems. In my community we have been going through a process of establishing structure plans. One in particular, the Boronia structure plan, has gone through a long and arduous process. It took a number of years. I know the minister at the table, the Treasurer, is also a Knox constituent. He too understands the significance of planning and he too is a strong advocate of a good planning system within the Knox community.

There was formal advice from the former Minister for Planning, now the member for Essendon, that any structure plan from the former government would be accepted only if there was a minimum height limit of three storeys. That was certainly not agreed to by my community. There was clearly concern and outrage about that. As a consequence of the change of government, the new Minister for Planning wrote to the then mayor of the City of Knox and said that the former edict by the former Minister for Planning was removed and it was now up to the council to develop a structure plan in consultation with the community. If the council and the community want a one-storey structure plan, if they want a two-storey structure plan, if they want a three-storey structure plan or if they want a four-storey structure plan, they can do that. That is exactly what happened.

We now see a structure plan which has a variety of housing structures. I know the Treasurer has also been in discussion with many residents in his community about structure plans, particularly around Stud Park shopping centre. He too understands the importance of this issue. He has been talking to his community, and I have been talking to my community. This is something that has gravely concerned residents in the city of Knox, but this government has ensured that

communities and councils can make local decisions with respect to structure planning. It is not planning that is an edict from a planner sitting in an office building in the CBD. It is people on the ground who can plead directly with their local council to make local decisions. That has been a stark difference between this government and the former government. I believe this is important legislation, and I wish it a speedy passage.

Debate adjourned on motion of Ms NEVILLE (Bellarine).

Debate adjourned until later this day.

**EDUCATION LEGISLATION
AMENDMENT (VET SECTOR,
UNIVERSITIES AND OTHER MATTERS)
BILL 2012**

Second reading

Debate resumed from 6 June; motion of Mr DIXON (Minister for Education).

Mr HERBERT (Eltham) — I rise to speak on the Education Legislation Amendment (VET Sector, Universities and Other Matters) Bill 2012. The bill proposes to amend the Education and Training Reform Act 2006. It also makes minor amendments to eight university acts. Principally it transfers the regulatory functions of the Victorian Skills Commission (VSC) in relation to apprenticeships to the Victorian Registration and Qualifications Authority; makes minor governance reforms in the adult, community and further education sector; enables the VRQA to take legal injunctions against registered training organisations (RTOs); authorises the VRQA to share information with commonwealth regulators; extends the Victorian student number system to commonwealth-regulated RTOs; clarifies that full-time public sector employees are not eligible for extra pay as directors of TAFE institute boards; facilitates leave of absence arrangements for university council members; and makes other machinery amendments, including backdated corrections of transitionals in the 2006 act.

The opposition will be opposing this bill. Whilst we recognise that there are some worthwhile provisions in the bill, we see these as being included to make more palatable the stifling of independent advice and genuine tripartite advice resulting from the abolition of the skills commission — the bloody-minded abolition of the skills commission. As such, this bill is simply another sorry example of the government's haphazard and destructive attacks on the training sector. It is another

example of the government's attacks on effective, independent advice on Victorian skills needs from industry and from unions. With the changes proposed in this bill the government is scrapping independent advice at a time when it is needed more than ever.

The opposition strongly opposes the transfer of regulatory functions of the Victorian Skills Commission in relation to apprenticeships to the Victorian Registration and Qualifications Authority at this time. It is important to put this in context. It reveals yet again the pattern of secrecy and stealth with which this government is attacking any source of independent advice on the training sector as part of its overall attacks on the training sector in Victoria, particularly TAFEs. The changes to the VSC's role in this bill follow on from the government's announcement in March of its intention to abolish both the VSC and industry training advisory bodies, commonly called ITABs, thus dealing a double blow to any possibility of independent advice on industry skills needs. It is simply an anti-union, politically motivated move that diminishes genuine industry participation in skills. The way the government has gone about this is typical of its modus operandi on skills and training — doing it in secrecy and stealth and leaving a trail of destruction behind it.

I remind the house that the government has already begun action to shut down the VSC and ITABs and has delegated these powers to the Department of Education and Early Child Development. This was done before this current legislation even entered the Parliament. Of course in terms of the Victorian Skills Commission it comes at a time when the government is closing all other avenues of transparency in terms of what is happening in training and what the needs are in training. This bill does not just exist in isolation. It exists at a time when the government is refusing to release key information which it commissioned from KPMG on the impact of budget cuts on TAFE institutes, keeping that secret while demanding that TAFEs have to provide information back to the government with their hands effectively tied.

This comes at a time when there is a question mark about \$80 million to \$100 million of possible redundancy payments that TAFEs have to pay their staff. Who is going to pay for this? Are these employees public sector workers, and is the government responsible? We cannot get any clear answers on that. It also comes at a time when it is unclear whether the government will obey its obligations under the enterprise bargaining agreement extension provision of 2.5 per cent to TAFE teachers after October this year and pay TAFEs that extra money from 1 January. We understand the government

told TAFE directors it had that legal advice, but the Minister for Higher Education and Skills seems to lack any clarity about that position whatsoever.

We ask about a whole range of issues in terms of the \$100 million cutbacks to TAFE. The budget says \$100 million, but we know — as I understand it, from the department — that the cutback will be \$290 million. The question is: will those extra savings, whether they be from TAFE institutes or the private sector, go back to consolidated revenue if the amount is more than \$100 million, or will that amount be available to the department to help stop the haemorrhaging of our TAFE system in Victoria? There have been no answers from the government; there has been only secrecy on that matter.

This all comes at a time when there is no information about whether there will be government relief for small rural communities faced with the closure of their only TAFE. It comes at a time when we do not know if the government has an agenda in terms of TAFE mergers or acquisitions for these TAFEs, both country and city. This closing down of independent advice comes at a time when the government is closing down all avenues of information to the public, the TAFE sector, industry and the people who are relying on training in the state. Quite frankly, it is a disgrace.

The government says, 'Oh well, such is life; that's the way it goes', but on this side of the house we say, 'No, it is not good enough to do that'. We say, 'We want independent advice along with clarity and transparency in the arrangements of government. We do not want you to say one thing and then do another — not when it is destroying proper regulatory arrangements and training arrangements in the state'. The truth is that the government is simply anti-union. It saw union representatives on the Victorian Skills Commission (VSC) as a political threat, no matter what their expertise, experience or knowledge. At every step of the way the government has dropped its bombshells on the training sector without consultation or debate. This bill seeks to further the government's sorry record of not taking responsibility for its actions. It seeks to take responsibility for regulating apprenticeships away from the VSC, in effect leaving it a toothless tiger.

You would have thought the government would welcome independent advice on TAFEs and training. Goodness knows, you can see it needs it when you look at the ravaging flames of TAFEs across the state and the outrage in all electorates that we are seeing on a daily basis. You would think it would want a bit of independent advice; you would think that would help the government make its decisions — but no, it is not

interested in that. It is content to make poorly thought out decisions, take uncoordinated actions and basically drive great Victorian institutions into the ground.

As I said, this bill comes at a time when the TAFE sector is on fire, with estimated losses of 2000 jobs, a \$290 million cut to the sector, and campus closures. This is nowhere more the case than in Gippsland, which is in the electorate of the Minister for Higher Education and Skills. We are seeing TAFE closures in communities right across his electorate of Eastern Victoria Region. We are seeing massive numbers of course closures, sackings and whole communities devastated by the impact. What is the government's response? It is to say, 'Let's close down the source of independent advice on that, the Victorian Skills Commission'.

This bill comes at a time when a heap of questions are being asked about who is running the system, what is happening in the system and who is responsible for any actions taken in relation to it. The Minister for Higher Education and Skills is not responsible. We read in his letter that he has been powerless to make any of the changes that need to be made and that he is horrified at the changes that are happening. This is the same minister who is closing down these institutions in our state. Quite frankly, it is a disgrace. I particularly wonder whether we could get any information about why the government is doing this. It appears not; it is probably cabinet in confidence, just like the KPMG report. The government's actions on this matter defy belief.

In terms of the VSC's capacity to provide advice, there are a heap of questions about what will happen to fees because of the cuts to TAFE. Will the fees that students in rural towns and communities will have to pay under the new fee structure in any way relate to the needs of these communities or the students' capacity to pay? Of course the answer is no. Let us look at the diploma of nursing, division 2. It is estimated that the fees for some of these courses will go from \$1500 to \$5000 or \$8000. I have even heard an estimate of \$10 000 from one rural TAFE. It is ludicrous. This is nursing, something that every community needs, and what are we seeing? We are seeing simply unattainable fee structures forced on TAFEs. It has nothing to do with the needs of the economy; it is to do with poorly thought out measures that the government has implemented.

Let us have a look at the VSC. I remind the house of the many important functions that the VSC should be undertaking. It should focus on industry experience and industry needs in giving advice within a market-driven

system. We know it is a market-driven system, but that does not mean you should not have independent advice.

As part of the \$290 million in cuts, we have just seen the government slash TAFE funding by \$120 million or so by changing the amount of money it pays for training across the five funding bands, supposedly based on economic needs. I think circus arts and other performing arts are important, but I do not know if they are any more important than agriculture in country areas or boatbuilding in Williamstown or Mordialloc — and I note that the member for Mordialloc is in the chamber. We know that with Victoria University having to get rid of its boatbuilding course — the only boatbuilding training in the state — the local boatbuilder in their beautiful little spot near Mordialloc Creek will be in all sorts of trouble because they are going to find it hard to train their apprentices. The government has changed the funding rate based on the market, but it takes absolutely no note of any actual advice about what the market is and what industry needs in various communities around the country.

The other important role that the VSC undertakes is administration and reporting, including responsibility for managing apprenticeship employment contracts and appeals. It does not sound like much, but it is crucial if you are an apprentice or if you are a business that employs apprentices, when there are dangers, conflicts and disputes. While the VSC no longer has any role in purchasing training contracts, it does have an important role in advising the government of the performance of Victoria's training market or of market failure, including providing key information to government reviews — but this government does not want to hear any of that.

When we talk about the VSC we are talking about a whole range of skills, a whole range of important factors that it should be giving information on — information about structural adjustment, about skill needs in terms of macro and microeconomic reform and factors that affect industries. We should be getting advice from it in terms of pathways in training and employment for displaced workers and boosting indigenous participation in training and employment. These are the sorts of things the VSC wants to give information to the government on but which the government does not want to hear about.

As I say, this bill will see the transfer of the regulation of apprenticeships from the VSC to the VRQA. It is another example of the dismantling of important regulatory processes in this state. The shifting of these responsibilities to the VRQA raises serious concerns about the capacity of the VRQA to take on its

multifunctional regulatory tasks and about the overall regulation of the training sector under this government.

The government has had plenty of red lights and warning signs about quality assurance when it comes to training since early 2011, but it has refused to act. That has been the responsibility of the VRQA. This is the main body that should have been there, that should have been resourced to act in terms of a whole range of quality assurance issues. It oversaw a regulatory system which has allowed countless examples of unscrupulous providers enrolling students in multiple courses, luring them into training courses through financial inducements, providing inadequate training and doing tick-and-flick training, as it is known in the industry. This involves making a quick buck through tick and flick but giving inadequate qualifications to that young person, or that older person, who leaves that training without the skills they need to get a job, without the skills that industry needs, but with supposedly the quality stamp of approval on their certificate.

That quality assurance did not happen, but now we are giving greater responsibility to the VRQA. I feel sorry for the VRQA because it is basically working with an incompetent government that does not know what it is doing, as you will see if you have a look at the bungled transition to a national regulatory system with the establishment of the Australian Skills Quality Authority and the transfer of many training providers to the commonwealth. What is happening there? The government seemed to just move in steps and take no action to change the system here. What we have seen in terms of the VRQA is its incapacity to deal with the new national system and its incapacity to deal with the shonks that have come across from some of the more lucrative international student markets — —

The ACTING SPEAKER (Mr Languiller) — Order! It is now an appropriate time to break for dinner. The member can resume his contribution when this bill is next before the Chair.

Sitting suspended 6.30 p.m. until 8.02 p.m.

Mr HERBERT — It is a pleasure to resume the debate on this important piece of legislation. Before the dinner break I was referring to the changes in this legislation in relation to the Victorian Registration and Qualifications Authority and how it will take on the responsibilities of the Victorian Skills Commission in terms of apprenticeship monitoring. I was saying that there will be a major change in the capacity of the VRQA to actually undertake this task. The problem is that the government expects members on this side of the chamber to accept what is a shambolic approach to

regulation and training and a shambolic approach in the way it is handling a very sophisticated, very important market for this state and to accept that unquestioningly, even though there is no plan and no-one has any idea what is going on. What we seem to have here are a range of random acts, random decisions, random moves and random legislation without any coherent plan about how we can develop a proper training market in this state.

So we have the VRQA, which has been responsible for quality assurance, which we all know is right out the window now in terms of some of the appalling practices which are occurring in training and which are undermining quality TAFE provision. We have those on the one hand. The VRQA is now taking on apprenticeship regulation and the monitoring of apprenticeships. On the other hand the government seems to be saying, 'We're going to set up this market-monitoring unit and we're going to set up these so-called rapid response teams to look at quality provision'. There are no details, there is no legislation and there is no information about it. We do not know how the system is going to work, we do not know what the requirements or responsibilities of the VRQA will be, we do not know whether this rapid response team will be in-house, we do not know where the resources will be going to and we do not know how this is possibly going to happen in regard to quality assurance in this state. If that is the case, what do we know about how the VRQA is actually going to monitor apprenticeships in this state and the issues there?

Let us look at how the system operates now. The VSC is responsible for apprenticeship contracts and for the regulation and monitoring of them. The VSC's apprenticeship field officers are in many ways agents. Apprenticeship field officers have an important protective role for apprentices and employers alike. They work not only for apprentices but also for employers. Essentially apprenticeship field officers work for the VSC. They solve disputes and provide recommendations to the VSC, which currently has the final right of appeal for apprenticeship employment contract disputes. This happens. All sorts of conditions affect employers and all sorts of issues affect apprentices, and there are disputes. We have apprenticeship field officers, and the VSC is the responsible authority in terms of those contractual arrangements.

What will happen when this is transferred to the VRQA? What will happen to the apprenticeship field officers? We do not know. We have no idea what the actual relationship will be between the VRQA and apprenticeship field officers in this legislation. You

would never actually get any answers from this government. It would never be transparent about what it does. However, what is particularly worrying here is that as we understand it there is a review happening for apprenticeships and a lot of discussion about the abolition of what are called the mutual consent arrangements in the dissolution of apprenticeship contracts. It is all very complex, but it is a pretty essential and basic thing. You sign a contract between an apprentice and an employer. That contract is signed and authorised by the VSC, which will monitor it. When there is a dispute, the employer might want to get rid of the apprentice and the apprentice might want to just junk out of their apprenticeship, but there has to be mutual consent about it, and that requires a process to find out what is going on, what the problem is and how we can protect both sides of this equation.

The apprenticeship field officers then go in there, have discussions and try to resolve the dispute. The dispute can be about hours, it can be about pay, it can be about capacity and it can be about the diversity of work. We all know about how apprentices just get in there and have one job for three years and they do not get the diversity of training or experience they actually need. It can be about undue pressure. There are myriad issues that may be in dispute between an apprentice and an employer. The apprenticeship field officers go in there, they attempt to resolve the dispute and the VSC is the final independent arbiter.

With the abolition of the VSC, with some of these transfers of the actual contracts going to the VRQA, what will happen to the apprenticeship field officers? Will they no longer have a job? Will they be the next level of training in terms of regulation and protection that will be scrapped? No-one has given this answer. In fact it would be a good thing for the government to get out in the field and say, 'We will protect the apprenticeship field officers. We will guarantee that there will not be any diminution of their capacity or their powers, or any change to who they respond to and what they do, to ensure that those safeguards for apprentices and employees are sorted out there'. It would be good to see members from the other side of the house actually get out in the field and give that guarantee that there is no threat to either apprenticeship field officers or mutual consent arrangements under apprenticeship contracts as a result of this and nor in the future will there be. We have not heard that from this government. We have not seen that in this legislation. It is a worry to this side of the chamber.

There are other issues within this bill that are also concerning, and there are few answers in terms of what we have heard from the government. There are few

answers we can actually trust from the government, if it was ever transparent, if it was ever open and if it was ever honest about its intentions.

Legal injunctions are one thing. This bill gives the capacity to the VRQA to take legal injunctions against registered training providers. There is nothing wrong with that. We think that is a good thing in terms of unscrupulous training providers. It would appear to be a useful mechanism to stop them, but it comes at a time when, as I say, there are questions about the powers of audit and investigation by the VRQA, which would presumably be the prerequisites to these legal powers — are they going over to the market-monitoring unit or to the rapid response team?

Who is actually legally responsible for these sorts of arrangements? We do not know, because all we have heard from the government is the Minister for Higher Education and Skills making a few off-the-cuff comments in the other chamber. Where is the detail of it? Where is the funding? Where is the legislative basis? Where is the division of power between this new market-monitoring unit or this so-called rapid response team — whatever it might be, however big it might be and whatever its powers might be — and the VRQA in terms of these powers and in terms of the powers of the VRQA to take legal action?

The bill also enables the VRQA to share information with the new commonwealth education regulators. We welcome any improvement in state government coordination of regulation in the training sector. It is a nightmare for many training providers, and we fully acknowledge that. But, hey, we have a long way to go on this one. What we have is a debacle in the training sector and in the regulatory regime in Victoria between the commonwealth and the state. We have seen the total incapacity of this government to stop the sorry parade of rorts that have occurred right throughout the training sector in Victoria. Why would we think this sort of legislation is in any way a concise, concerted and well-thought-out response to this particular issue?

There are a couple of other concerns here, in particular the transference of the power to recommend the removal of TAFE directors from the Victorian Skills Commission to the minister. The VSC currently has those powers and has exercised them responsibly, and that is appropriate. But the trouble is that under the current circumstances — under the current shambles that is training in Victoria, with the flames that are currently engulfing training organisations and TAFE institutes in this state, and under the current debacle that is training provision right throughout Victoria, including regional Victoria — when you shift those

powers to the minister to get rid of TAFE directors, it is incredibly worrying.

In terms of TAFE board directors, we are seeing people who have volunteered, who get little remuneration and who are there to do the right thing by their communities being forced to come out and say, 'Well, hang on a tic. Whoa! Am I now supposed to decimate training in my area, decimate my staff workforce and the capacity of locals to access training, make fees unattainable for ordinary people to get the training they need for a job and close campuses? Of course I need to speak up against this'. But at the same time we have got a bill in this Parliament that gives the minister the capacity to get rid of those same TAFE board directors, and we do not know exactly what the minister's powers are in terms of how he can do it.

This is a ruthless government. It will not give information. It is forcing TAFE institutes to make the most appalling changes to training provision in this state. Why on earth would anyone think that is smart when TAFE boards are going to local government councils and industry to try to get support to stop their facilities being closed down? I notice the Minister for Racing is here, and I know he is passionate about racing. He must be concerned about Ballarat TAFE and its potential scrapping of training for the racing industry in Ballarat. Of course TAFE directors will be concerned about the slashing of their budgets, and we do not think it is appropriate for these powers to go to the minister given the debacle we see currently unfolding in TAFE. Under different circumstances the government could count on us, but under the current circumstances it would be absolutely wrong of us to support this sort of power.

The bill makes changes to ACFE, the adult, community and further education sector. I did a bit of research into ACFE in my earlier years for a Senate inquiry. It was described as the Cinderella of the education community. Its providers are fantastic and offer a great service and at very low cost. The changes in the bill seem fairly reasonable: ACFE has to submit long-term strategic plans to the minister and is required to hold annual general meetings, and there are other changes. They are tidy-up measures, and we do not have a huge problem with that, but the changes draw attention to the fallout from the government's attack on the whole training sector if people cannot afford to get the training they want in their communities.

Let us think this through: you are in Mallacoota, where the TAFE provision has been slashed. Advance TAFE has pulled out. It cannot afford to stay because the government will not give any money to provide

services for uneconomical market economics courses, so the only thing you can do is either pack up your bags, leave your home and come to Melbourne to get the training or try to go to whatever facility you can find up there. Now the only place you can go will be the adult, community and further education provider. The pressure on ACFE is enormous. There is no problem with this part of the legislation, but it highlights the fact that the training sector is a shambles and the government has not thought about the impact on the adult and community education sector of the massive changes it has made to TAFE. There will be a major impact, and there has been no thought about that — certainly not in this legislation.

There are a range of other pieces of legislation in terms of TAFE directors' pay and university council membership — things like directors being able to take leave of absence et cetera — which are all minor matters. We are opposing this bill because it highlights the debacle of the lack of a plan for training in this state. It highlights the fact that the members of this government are anti-union. They see any board or authority that has union members, no matter what their experience, knowledge or capacity to work with industry, as being against their government, and they want to get rid of them. They want to get rid of the Victorian Skills Commission because they do not want to have independent advice.

The government has put a model in place that has decimated the TAFE system, that is not realistic in relation to industry needs and that is diabolical for Victoria. The opposition will not support that model and will not support this legislation.

Mr MORRIS (Mornington) — I have to say that after listening to the contribution of the member for Eltham for half an hour I could pick up only one of his remarks that I would say is remotely accurate, and that is that the vocational education and training sector was a shambles. It certainly was a shambles, and it is taking a coalition government to sort it out and make it far more suited for the purpose it is supposed to fulfil.

It is my pleasure to rise to support the Education Legislation Amendment (VET Sector, Universities and Other Matters) Bill 2012. It continues a strong program of work that has been put in place to get the vocational education and training sector back on track. Training, of course, is absolutely critical. It is critical for individuals that they have sufficient skills to allow them to be gainfully employed and be employed in areas in which they would choose to be employed and in which they enjoy their work, and it is particularly critical for the economic health of the state. If we do not have skilled

labour, if we do not have people capable of doing these jobs and if we are not constantly building those skills, then growth is that much harder. This is certainly an important factor in promoting economic growth. The state government makes a substantial investment in skills for precisely that reason.

The bill will amend the regulation of apprenticeships, moving that function from the Victorian Skills Commission to the Victorian Registration and Qualifications Authority, hereafter known as VRQA. It moves the governance of the adult education sector to large organisations: the Centre for Adult Education and the Adult Multicultural Education Service. I have had a little bit to do with AMES through the work I have been doing in the St Albans community with the Brimbank council and others. I have visited at least one of its facilities, and its staff do an excellent job. They are dealing with a very multicultural demographic. There is a great diversity of ethnicity, and most clients are new arrivals. There are certainly some challenges in that, but they are doing a good job, and I commend them for it. The bill responds to a State Services Authority report that suggested those two organisations should have their governance arrangements brought in line with the TAFE sector in general. There are some specific areas, including the introduction of long-term strategic planning, the production every year of a statement of corporate intent and the opening of annual general meetings to the community and having those dates, times and so on well publicised.

There are also some changes to the powers of the VRQA. While the VRQA can require enforceable undertakings from RTOs (registered training organisations), there is no requirement for RTOs to agree to an enforceable undertaking. I am familiar with at least one case in the southern suburbs, not in recent months but certainly only a couple of years ago, where the VRQA was put in a position in which it essentially had to take far more draconian action than was otherwise desirable because it did not have the power to require an enforceable undertaking. Had it had the capacity to require an enforceable undertaking, that would have been a far better way to resolve the issue. It is now being resolved, in any case.

Due to changes between the state and the commonwealth, a relationship is now required between VRQ and the commonwealth. We now have the commonwealth getting its sticky fingers into education in all aspects. My personal view is that that is not a particularly good thing, but we are stuck with it. The bill will also extend the Victorian student numbering system to commonwealth-regulated providers. It provides clarification around public sector employees

being paid only their jobs, not extra as with members of the boards of TAFE institutes. It facilitates the granting of leave of absence to members of councils of universities, which is currently difficult to do. There is some sunset time on that in terms of the capacity of university boards to allow leave of absence for up to three months, and beyond that the minister becomes involved. A range of machinery and other technical amendments are proposed as well.

This bill came to this house from the Council, and I was interested to note that many of the comments made by the member for Eltham mirrored comments made by Ms Mikakos in the other house when it was debated there some months ago. The outrageous claims that were made about what the government is doing with the TAFE sector in particular and the vocational education and training sector more widely were repeated. The commentary we have heard from opposition members on this matter makes it very clear that they would rather play politics with vocational education and training than actually try to resolve the challenges we have with it. Let us remember that just about all the challenges we have with it are of their making. As I said at the start, the sector was a shambles, and it is taking a coalition government to fix it. But as far as the Labor Party is concerned, it is not about jobs and it is not about skills; it is about politics, pure and simple. That is what we have heard in the debate in the other place and that is what we are hearing in the debate here.

We need to get some facts into this debate. In their time in government members of the opposition created a system that was demand driven — not market driven but demand driven. While it forecast an expenditure of around about \$800 million a year following its reforms, by 2011–12 expenditure was up to \$900 million and expected expenditure for 2011–12 is \$1.3 billion. Beyond that it was simply heading northwards. That might be okay if you could fund it and if you could control demand, but it also needs the money to be spent in the right places. That is one of the main problems we have with the arrangements that were put in place by Labor. There are many examples, but the classic example is the certificate IV in fitness. There were 188 people undertaking that course in 2008. By 2011 that figure had grown to 3863. Demand for jobs in that area is considerably less than 10 per cent, so we are training thousands of people for a certificate IV in fitness with absolutely no market for their skills. It is ridiculous.

We also had a very good TAFE system which was rapidly being crippled by the sorts of policy settings that had been put in place. It is perhaps not widely

known — and I was interested in the member for Eltham's comments — but in the current multibusiness agreement for TAFE teachers they are required to be at their workplaces for 30 hours a week under clause 15.1 even though they get paid for 38. Not only do they get paid for 38 hours a week and work 30 but they get to take every fifth year off at 80 per cent salary. They do not actually have to do anything that is connected with their work in those extra 8 hours a week or that extra year; they are simply able to take the time off. We as a government are not prepared to cop that sort of roting of public money. That is all it is; it is a roting of public money. It is a matter of bringing those sorts of things back into context.

The fact is that the government is committed to vocational education and training. The sector needs a substantial overhaul, and that is what the minister in the other place is engaged in. He has made a good start, and once the reforms are complete we are going to have a much improved system. This bill is an important part of that process. The government is taking action to deliver on training and skills development for all Victorians. This is a good bill. It implements sound policy, and I commend it to the house.

Ms HUTCHINS (Keilor) — I rise to make a contribution to the debate on the Education Legislation Amendment (VET Sector, Universities and Other Matters) Bill 2012. The opposition will oppose the bill on the basis that there is no satisfactory explanation as to why the government is scrapping the Victorian Skills Commission and transferring some of its functions to the Victorian Registration and Qualifications Authority, nor is there any clarity on what future role the VRQA will be playing, nor any detail about the resourcing for this role, nor a comprehensive plan about how apprenticeships and training will be regulated under the government's changes to the sector.

We heard the previous speaker for the other side talk about roting of the TAFE system. However, the big picture is being lost in this debate, and that is that our state depends on jobs, and those jobs and our industries depend on skills. For those living under a rock, let me enlighten you: there is a skills crisis happening in Australia and in Victoria. The skills crisis goes across a range of sectors, and to demonstrate this particular matter I would like to point out a personal experience — one shared by about 20 000 residents in my electorate. About 20 000 homes experienced damage in the storms that hit on Christmas Day. It has taken almost six months to have most of those homes — probably around 90 per cent — repaired. Why is that the case? Because we have — —

Dr Sykes interjected.

The DEPUTY SPEAKER — Order! Would the member for Benalla like to leave the chamber? He should cease interjecting.

Ms HUTCHINS — There is a skills crisis happening. It has taken six months to get a tiler out due to the lack of skilled tradesmen and the lack of apprentices in that industry.

Getting back to the bill, I would like to first put into context the way the bill has been structured and the government's current direction on vocational education and training and how this allows for a deeper understanding of the government's motivations in introducing this bill and the real effects this bill will have.

In the past six months we have seen a sustained and concerted attack on education and skills in Victoria. First, there were the VCAL (Victorian certificate of applied learning) cuts of \$48 million, then the TAFE cuts of \$290 million that are seeing major changes that will set the TAFE sector in this state back by 15 years. This is a time when the sector is already facing huge challenges and when it is extremely important to allow free and open public disclosures surrounding TAFE changes and just what this means for jobs, skills training and vulnerable Victorians.

My background before entering politics was doing research and providing skills analysis for industries that were suffering from skills shortages across Australia, not just in Victoria. I can tell the house that there were many struggling industries out there trying to attract people, particularly those in the under-30 age bracket, into a range of industries, including manufacturing and transport and logistics. These are people who require a little bit of training — not necessarily degrees, but certainly TAFE diplomas. Already there is a struggle in industry to attract people, let alone setting the bar higher and making it harder for people to access TAFE training.

While there are many small technical changes in this bill that the opposition has no issue with, Labor opposes the bill on the grounds that there are changes to the role of the Victorian Skills Commission (VSC). For example, clause 29 will transfer the power to recommend the removal of TAFE directors from the Victorian Skills Commission to the minister, increasing the politicisation and ministerial control of TAFE governance. This comes at a particularly opportune time for the government politically, as it could have the effect of silencing TAFE directors who may wish to

speak out against the government's current funding cuts. There is no justification for transferring this power from an independent authority to the minister. This measure reflects an effort to increase the government's political power over the TAFE sector at a time when the sector is suffering cuts that are going to have an enormous effect on its future.

In fact an open letter from Wodonga TAFE leads me to wonder whether gagging of TAFE directors by the government has already started taking place. The board president of Wodonga TAFE, Tony Brandt, said in the media that the budget cuts would hit jobs and training opportunities in the region and that initiatives targeting young, under-educated and unemployed people would be shelved. He said it was clear that the changes would mean closing courses, making staff redundant and cutting opportunities for kids in regional Victoria. Mr Brandt said:

It is a huge cut to our budget ...

...

It is clear that it will not be feasible for any provider to provide courses in many areas as the funding rates are too low.

It is unlikely that any provider would be able to provide courses in areas such as business ... retail, financial services ...

Those services are services that are currently being delivered in regional areas.

However, last month Wodonga TAFE released an open letter reassuring the community that TAFE would remain open and vibrant. This is after the above comments were made by the president of the Wodonga TAFE board. The quote in the advertisement that was circulated in the local press reassured the community that the TAFE institute would remain open and vibrant, which is good to hear. It was next to a picture of the member for Benambra, and the headline was:

Wodonga TAFE will always enjoy the support of government.

I am wondering whose leg was being pulled and how hard it was being pulled to get that ad printed. I do not believe that anyone at Wodonga TAFE truly believes that stripping more than \$7 million out of the budget, 33 per cent of Wodonga TAFE's annual budget, is an act of support by the government. The transfer of power from the Victorian Skills Commission to the minister at this time appears cynical and politically motivated, and it may stifle honest and robust conversations about the sector's changes and funding cuts.

Labor also has issues with the bill's proposed transfer of regulation of apprenticeships from the Victorian Skills Commission to the Victorian Registration and Qualifications Authority. We are concerned about the lack of resources for the VRQA to undertake this important role. It is a huge task to regulate apprenticeships across the state, and with the government announcing the abolition of the VSC at the same time as the abolition of industry training advisory boards there is concern over the lack of input and transparency in the policy on the regulation of apprenticeships.

The subsequent cuts to the TAFE and vocational education and training (VET) sectors have caused chaos across the training industry. Given the scale of the problems regarding regulation in the training market and the massive and rapid growth of private training providers, resources need to be provided to the VRQA to administer apprenticeship contracts and support apprentices, and this bill goes nowhere near indicating that this would happen.

Under this bill the VRQA would have the power to take out legal injunctions against registered training organisations. Whilst this capacity is welcomed, the resourcing is not identified, and one would think that with the recent disaster of the financial collapse and closure of Mowbray College the government would wake up, take note and say, 'Organisations like the VRQA need to have more resources in order to do their jobs and to make sure that those who are most vulnerable in our community — those in the community who have an expectation that this government will deliver for them — are supplied with the resources that they need on the ground'.

The minister has flagged, through the media, the establishment of a rapid response team to deal with rorts. This is in reaction to the issue being raised in Parliament by Labor last year, and it is an attempt to stem the growing criticism of inaction over the proliferation of poor-quality providers. However, there is no clarity about what the future holds for the VRQA, and these arrangements remain in limbo. Quality RTOs and TAFEs are also being undermined by private providers, and we really need the resources on the ground to fight this.

I have seen huge cuts, and after meeting with the Victoria University TAFE sector in the western suburbs, it seems that dozens of TAFE courses will be cut at that institution, affecting many families in the western suburbs and the future pathways for those children who need them. In the local papers in Brimbank the deputy vice-chancellor of Victoria

University, Professor Anne Jones, has been quoted as saying:

We will work hard to minimise the impact on our students ...

However, the cuts are going to take their course.

To conclude, I restate Labor's position. We oppose this bill because of the erosion of the responsibilities of the Victorian Skills Commission, including the transfer of power from the independent authority to the minister and the transfer of the regulation of apprenticeships from the VSC to the VRQA.

Debate interrupted.

DISTINGUISHED VISITORS

The DEPUTY SPEAKER — Order! Before calling the minister I welcome to the gallery George Seitz, the former member for Keilor.

EDUCATION LEGISLATION AMENDMENT (VET SECTOR, UNIVERSITIES AND OTHER MATTERS) BILL 2012

Second reading

Debate resumed.

Ms ASHER (Minister for Innovation, Services and Small Business) — Whilst I understand that the members of the Labor Party want to make general political commentary in relation to education, I will actually speak on the Education Legislation Amendment (VET Sector, Universities and Other Matters) Bill 2012. In this bill we have a series of amendments that fall into eight groups, as stated up-front in the explanatory memorandum. I will concentrate on two of these groups of amendments because they have relevance to international education.

I acknowledge that the bill transfers responsibility for apprenticeships to the Victorian Registration and Qualifications Authority (VRQA) and makes governance reforms in the adult, community and further education sectors in line with the TAFE sector. That applies to the Centre for Adult Education and Adult Multicultural Education Services. The bill also extends the Victorian student number system, which entails the use of a unique identifier for every student under 25 in schools and vocational education and training (VET) providers. It clarifies that public sector employees will not get paid if they are on the boards of TAFE

institutes, and it facilitates some leave-of-absence provisions, which have already been adequately explained by the member for Mornington, whereby amendments will be made to eight university acts to enable councils of universities to grant leave of absence. There will also be a range of machinery and technical amendments, such as changing the names of various departments to which the various bodies report.

It is the two matters that impinge on international education that I focus my comments on, and they are the two sets of clauses that relate to the power for injunctions to be taken out against registered training organisations (RTOs) and the capacity for the commonwealth and the state to share further information in this regard.

By way of prefacing my general comments, I indicate that I actually have responsibility for the policy on international education. Other ministers obviously deal with the regulatory requirements and the like. In terms of the policy on international education, as most members of this chamber would be aware, this was a \$4.6 billion business in 2011. Unfortunately it is a declining sector of the Victorian economy, but it is still our no. 1 export. Tourism is the no. 2 export in the state of Victoria and international education is our most important export.

The international education sector is responsible for 50 000 direct and indirect jobs, and as at December 2011 more than 160 000 international students from 165 countries were enrolled in Victorian education institutions. Of course VET providers play a very significant role in international education. The reforms enacted by this bill, certainly with the two components I have outlined already, will assist with better regulation, and I think the changes will have a more positive impact on the international education market.

The first part of the bill that I wish to talk about is part 4, in which clause 36 provides courts with the power to grant injunctions in respect of registered training organisations. The second part of the bill which is particularly important in the international sector is part 5, in which clause 48 enables the facilitation of cooperation between Victoria's education regulator, the Victorian Registration and Qualifications Authority, and its new commonwealth counterparts.

I turn to the powers provided by the bill that will enable injunctions in respect of RTOs. The prime reason that international students come to Victoria to study is the quality of Victorian education. It is very important that all legislative reforms ensure that that quality is maintained. Of course quality is incredibly important

for local students. I am simply speaking on this from the perspective of having responsibility for the general framework for international students.

Clause 36 reflects where RTOs have failed in the past and seeks to remedy the process where there is failure, either complete and abject failure or part failure, on the part of an RTO. The clause gives greater flexibility to the VRQA and the courts to deal with RTOs that do not meet their responsibilities and it provides greater consumer protection. The current situation is that unless a VET provider has breached a voluntary legal agreement relating to improper conduct, the VRQA cannot seek a court order to stop that behaviour. In other words and possibly in more simple language, at the moment where a registered training organisation does not meet its legislative obligations, the VRQA can only ask the RTO to enter into what is called an enforceable undertaking. That sets out what the RTO is to do and court proceedings can ensue if the RTO does not comply.

Where the current legislation is silent is on this whole system depending on the RTO agreeing to certain circumstances. If the RTO does not agree, the VRQA cannot seek to deregister the RTO. Deregistration is, of course, a last resort but it needs to be a threat under certain circumstances. Comparing that with the commonwealth law, under that the courts can issue injunctions to force an RTO to take action or not to take action, as the case may be. If the RTO refuses to comply, injunctions may be taken out and the court will decide where the RTO will go in terms of its conduct. That system is broadly encapsulated in part 4 of the bill.

The bill allows restraining injunctions and positive injunctions and they can be sought in either the County Court or the Magistrates Court. Again, the underlying reason for this particular reform articulated in part 4 of the bill before the house is that this will add to the quality of education. It is most important that this quality is preserved at this particular level and indeed right across education provision.

The second aspect I particularly want to refer to in this bill is the sharing of information with the commonwealth. In 2011 the commonwealth established two regulators: the Australian Skills Quality Authority for vocational education and training and the Tertiary Education Quality and Standards Agency for higher education. Basically ASQA accredits institutions and courses for overseas students. As I said, I am particularly interested in this bill from the perspective of my ministerial portfolio. We need to have a situation where state and commonwealth agencies cooperate on

information, but unfortunately gaps have emerged in the legislative regime we inherited.

By way of example, ASQA cannot deal with overseas student records, so clause 48 provides that information can be provided by the VRQA to the commonwealth. In a circumstance where information needs to be provided, the VRQA may now — it does not have to — provide this information. I think this will improve the regulatory environment for Victoria's international education providers.

I appreciate that Labor Party members want to talk about TAFE, the Victorian certificate of applied learning and so on and so forth and put forward their view on the coalition government's budgetary strategy — that is their call and the way they have chosen to approach this debate — but this bill is about the regulation of the sector. As I said, two of the eight groups of legislative provisions are very important in the regulation of international students and in terms of ensuring that these students have a system that is better regulated.

The bill comes to this place in the context of significant reform at state and federal levels for international students. The Baird review has sought to secure a better regulatory and legislative framework. There has also been the Knight review, and the commonwealth has gone some way towards meeting various states' requirements for visas and post-study work rights. We think the commonwealth should do more in this area, particularly in the non-university sector and the private provider sector. We think judgements should be made on the quality of institutions.

The commonwealth minister is the Minister for Tertiary Education, and the International Education Advisory Council will shortly advise him on further action the state and commonwealth can take to make sure Victoria is an attractive destination for international students. In my opinion this bill should be seen in that context, and I have a great degree of pleasure in supporting the bill and commending the minister on his work.

Ms GREEN (Yan Yean) — I take pleasure in speaking on one of my key interest areas not only in this place but also in my career before I entered the Parliament. I join the debate on the Education Legislation Amendment (VET Sector, Universities and Other Matters) Bill 2012. As the lead speaker, the member for Eltham indicated, as did subsequent speakers, that the opposition will oppose this bill on the basis that there has been no satisfactory explanation from the government as to why it is scrapping the Victorian Skills Commission and transferring its

functions to the Victorian Registration and Qualifications Authority; nor is there any clarity about what the future role of the VRQA will be, any detail about resources for this role or a comprehensive plan about how apprenticeships will be regulated in the future.

My electorate of Yan Yean houses the highest number of tradies in the state, and they are extremely interested in the training regime — both the training they have received and the training they would like to see their children receive. The utter chaos the government is wreaking on the sector at the moment through the changes in this bill and the government's budget settings are not good for productivity and not good for people contemplating their future. I plead with the government to have some understanding of the impact these changes are having on our community. I do not want us to again see a situation where people leave this state in droves. Victoria is a great place to live. As I said, my electorate is full of tradies. These people have a passion for building and making a contribution to the economy and the local community.

Earlier in my career I served on the Affirmative Action in Training Board. I worked for some time at the former Workforce Plus Employment Services in Broadmeadows, which served a disadvantaged community. I helped people retrain and get into the workforce. I worked with people who were transitioning between industries. I also worked in rehabilitation at the Victorian WorkCover Authority with people who had had injuries, lost confidence and needed to retrain.

Having so many young people in my electorate, I go from school to school and I see how passionate the students are and how they look forward to their futures. What we have at the moment is utter chaos. At the moment I really feel for careers counsellors. I met with some people from non-government schools last week. It had not occurred to me what an issue this would also be for mid-range schools and schools in the non-government sector. I met with them in relation to something else, and I just mentioned TAFE in passing. They were absolutely livid. I had never seen them so passionate about something. They said, 'We just don't know what to say to our kids and their parents'.

Last weekend I met a teacher in the inner city who taught in the TAFE area at Victoria University. He expressed to me his concerns and the thought that some of the secondary school students who would try to access TAFE courses next year through the VET (vocational education and training) system could be

subject to a cost of around \$3000. This is a cost for kids and families in the western suburbs.

I represent some of the northern suburbs, but in the western suburbs there is an enormous gap between available employment and the ability of people to get the training they need. I think we really could be at the crossroads. There was a period during the economic downturn of the 1990s when there were significant cutbacks to the public sector and virtually no training of apprentices at all in this state. There was a huge skills strain. We had gone a long way towards turning that around.

Year after year in the tenure of our government Victoria was training more apprentices and trainees than any other state. We put a value on our people in Victoria; we put a value on being clever. It was getting results. It was not perfect. We had to make changes in 2006 because of problems that were occurring in relation to rogue providers that were causing a crisis of confidence. Education is an enormously important export for Victoria; it is the most important export.

There were around 1200 registered training organisations in August 2010, and that had dropped by 100 from the year before. The measures Labor introduced in state Parliament had started to bring about results and had weeded out some of those poor operators that were not offering quality training and were, frankly, ripping students off. Federal government figures reveal that there are now around 505 registered training organisations based in Victoria. The situation has improved.

We are going down the path of pillaging the system and gutting the TAFE and VET sectors. I have seen firsthand what the VET sector can do. Whittlesea Secondary College in my electorate has been a national award winner in relation to VET subjects and VET studies. The VCAL (Victorian certificate of applied learning) program at Epping Secondary College has been replicated across the state. The school has been mentoring other schools, including Wallan Secondary College, in relation to establishing VCAL.

With the introduction of On Track data we started to track where Victoria's school students were going after they finished secondary education. I could not have been more proud of the working-class kids at working-class Epping Secondary College where there was the greatest improvement in the state and the highest number of students who either did further study or went to work. The school community has been immensely proud of this.

I want to read from some letters written by students at that great school, who take a great interest in education. They are amazing exemplars of what can occur in state education, even in working-class areas. Jerusha Mather is a fantastic young woman who I have got to know over the last couple of years. She is incredibly bright. She loves reading, watching documentaries, writing poetry, meeting new people and hearing their stories. In her own words she said:

I am involved in leadership in my school and have run a number of programs to help young people like me develop confidence.

I have been involved in the instrumental music program (singing) in 2009. In 2011 I joined the SRC and have been actively involved in the 40-hour famine campaign. I have been a member of the school's book club since 2009. I have entered writing competitions both at the school and in external competitions as a way of extending myself and developing my writing skills.

This young woman, Jerusha Mather, has a number of hurdles to overcome in that she suffers from cerebral palsy and has difficulty with some of her oral communication and in moving around. But her intellect, brightness and skills have been extended and she is a leader at her school. I am so proud to know her. For her and another young student, a friend of hers who is a Malaysian migrant and has only been in this country for a year, this is such a fantastic school. These two young women in year 9 have had the confidence to set up a young women's leadership program across the year levels there. Jerusha wrote to me saying:

I feel strong empathy for children who may be affected if the government forces schools to scrap the Victorian certificate of applied learning (VCAL) for year 11 and 12 students, which is an alternative to VCE for those who want to go on to apprenticeships, TAFE or work. This is going to lessen opportunities for our young Victorians.

...

Two thousand teachers and staff at Victorian TAFEs could supposedly lose their jobs because of state government funding cuts. In my own perspective, TAFE is very useful nowadays to broaden students' horizons and is an opportunity that prepares prospective TAFE students to fairly go to university to further their passion in life. TAFE acts as an alternative university pathway for many young people these days. We don't want our young Victorians missing out on university.

They are the words of Jerusha Mather. I plead with the government to listen to the Jerushas of the world and to other fantastic students such as Daniel Pietrobuono, who is in year 10 this year at Epping Secondary College. It is the kids themselves who are saying that this is going to make it difficult and that it will be families on low incomes that will struggle. I applaud

the fact that the opposition is opposed to this bill. I hope some government members will join us.

Mr CRISP (Mildura) — I rise to make a contribution to the debate on the Education Legislation Amendment (VET Sector, Universities and Other Matters) Bill 2012. The purpose of the bill, as set out in the explanatory memorandum, is to transfer certain functions of the Victorian Skills Commission (VSC) to the Victorian Registration and Qualifications Authority (VRQA) or the minister; make governance provisions relating to adult education institutions consistent with those of TAFE institutes; give the County Court and the Magistrates Court the power to grant injunctions in respect of registered training organisations; enable the Victorian Registration and Qualifications Authority to disclose information or give documents to certain commonwealth authorities or bodies; make other miscellaneous amendments to the act; and amend various universities acts to provide that councils of universities may grant leave to members of those councils.

I will now go into a little more detail about the provisions of the bill. The transfer of regulation of apprenticeships from the Victorian Skills Commission to the Victorian Registration and Qualifications Authority will bring the regulation of training under one roof. The VRQA was previously the state regulator for all but apprenticeship training and traineeships. The transfer of the commission's powers to remove unsatisfactory TAFE board directors will now fall to the minister, which is probably the right place for that power to lie.

Victoria has two adult education institutions — the Centre for Adult Education and the Adult Multicultural Education Services. These will now have governance in the same way that TAFE has governance, and I think all of us believe that is a common-sense tidy up for the sake of consistency. It adds to the options of the VRQA and the courts for dealing with education and training providers that are not meeting their responsibilities, which is of concern, and allows for enforceable undertakings that are alternative to sanctions and penalties.

Cooperation between the VRQA and its commonwealth counterparts is important. Half the providers are transferring to the commonwealth — we have two jurisdictions here. The commonwealth needs access to state information. For operation across the sector, information needs to be shared.

The Victorian student number is being extended to TAFE students. I will talk a little more about the good

reason for this later, but the area of overlapping and articulation between the upper levels of TAFE and the first levels of university is one of particular interest to the regional areas. There needs to be a nationally unique identifier, particularly as there is that crossover area between TAFEs and unis. There will also be leave for university and TAFE board members. Authorisation for leaves of absence will now be provided for up to 12 months. I note that if a leave period is more than three months, ministerial approval is needed.

Education is extremely important to this government, and training is vital. That is why we are reforming this training sector. It has had considerable growth, and it is worth running the magnifying glass over some of that growth. Clearly it has been unsustainable or has occurred in areas where it was not going to lead to jobs or address the skills shortages in our economy. The current uncapped market system was designed and implemented in 2008 by the Labor government, which implemented the system without monitoring mechanisms to manage its effectiveness and its costs. Many other service areas are operating within a competitive market environment in Victoria, and structures have been put in place to monitor them. In my area of Mildura we know a lot about the Essential Services Commission and its manner of regulating both energy and water.

Since 2008 the difference between what was budgeted for by the previous Labor government and what was spent has been \$1 billion. In 2011–12 Labor predicted that training subsidies would be around the \$900 million mark; we now know the figure was \$1.3 billion. That is a remarkable and considerable difference. The system was not financially sustainable, nor was it meeting the need for skilled workers in the Victorian economy, and things simply had to change. Amidst the changes, around 220 courses have attracted increased subsidies. A number of these are both apprenticeship courses and courses receiving the highest government subsidy, and 82 per cent of those are delivered through TAFE. Also, 15 per cent of courses have remained at the same levels. Subsidies have been reduced in areas that have seen massive growth in employment supply without obvious benefits. We have already heard in this debate about the oversupply of personal fitness trainers.

In terms of courses for diploma level and above, for which vocational education and training FEE-HELP income contingent loans — commonly known as HECS, or higher education contribution scheme, loans — are available, we again have to work out that articulated area between the top of TAFE and the start of tertiary education in universities.

The Baillieu government has already cracked down on some of the dodgy providers. We have had a lot of press about those. I am pleased to say very few are in my area. They have done damage to the system. They have been engaging in unscrupulous practices and profiteering from government subsidies. This has been done through the use of multiple enrolments in government-subsidised programs; now they are going to be limited to two a year. In relation to funding for qualifications gained by the recognition of prior learning, everybody has a story about that, even in my area.

TAFEs have an opportunity to establish themselves as premium providers within Victoria's vocational training system. Existing TAFE branding is extremely strong. Their reputations are established, and the higher education pathways are extremely important. It is worth again reflecting on the number of additional people who have been trained over the last few years and the cost of that training. Enrolments have soared over that period, but not in the areas where we know we have skills shortages.

To end my discussion of TAFE, I note TAFE has a few advantages. It is predominant in the trade training area because of that huge investment by the public in that infrastructure. The Sunraysia Institute of TAFE is an excellent example of that; it has fantastic facilities for trade training. The Sunraysia TAFE, with 300 employees, has recently advertised a new position, so out of this we have a TAFE in Victoria that is advertising a position. It is looking for someone in the automotive area, and on reading the ad I suspect it is looking for someone to train apprentices. So things are changing. Also in Mildura we have the trade training centre, which will increase trade training in our area.

The government has also funded \$20 million for the Regional Partnerships Facilitation Fund to support partnerships between universities and regional TAFE institutes to provide more undergraduate courses in Victoria. This is absolutely vital for so many places where we have a strong TAFE presence and partnerships with universities. They need to work better to allow people to transition through the TAFE system and into their universities. There are a number of programs from which Mildura is benefiting considerably, and I expect it will continue to benefit, with a little over half of that money being rolled out for programs such as teleconferencing. There are huge steps being made in technology so that we can put together classes for tertiary students with online learning and teleconferencing around our TAFE colleges, build courses that are sustainable for

universities and increase student numbers in our communities.

We have a lot to look forward to. The unsustainable growth has been addressed. We have been refocusing our education sector, and particularly our vocational education sectors, to better provide for the future. We have also addressed some of these issues. Under previous governments, providers throughout the state were running training programs fully funded by the taxpayer at no cost to the participants. The problem is there is not a general demand for belly dancers, quilt makers or underwater basket weavers in Victoria, nor will they help our economy.

People can still do these programs; they just need to contribute to the cost instead of you and me paying for it. The previous government did not have the checks and balances to ensure that the system was run efficiently and in the best way for the taxpayer. That has now changed. We are refocused, and we are going to produce the trades and skills that are needed to take Victoria forward. I support the bill.

Mr NOONAN (Williamstown) — I welcome the opportunity to join this debate and speak on this bill. I understand that this bill has presented an opportunity for a broad-ranging debate, and I listened with interest to the member for Mildura, a member I respect and one who works hard in his electorate. I noticed with interest that in his contribution to the debate he talked about an automotive teaching opportunity. I find that interesting because he neglected to talk about the 20 redundancies I heard about when I was listening to ABC radio this morning.

The other interesting aspect of the member for Mildura's contribution is his painting up this reining in of the TAFE sector by talking about basket weaving, fitness programs and the like. In the western region of Melbourne, the Newport campus of Victoria University has for many years offered the only boatbuilding apprenticeship program in the state. That means that if you are a boatbuilding operator in Victoria and you want to take on an apprentice, you would send them to Victoria University for a three-year program. Acting Speaker, you might be interested in this because one of the marine businesses that has apprentices right now is located in Bayswater. It is a very good business, and there are many of these sorts of businesses around Melbourne and in Victoria in places like Paynesville, Echuca and Mordialloc. These businesses require skilled labour, and skilled labour in many cases comes from apprenticeships, including getting young people who are reskilling to go through an apprenticeship.

Following these TAFE cuts Victoria University has determined that it is going to continue only with courses that are viable. It will not continue with courses the cessation of which will reduce the production of skilled labour for the future but only with courses that are viable right now. That means that if you are a small boatbuilding operator in Victoria, you are no longer able to take on an apprentice unless you are prepared to send them to Newcastle for their training.

I put this question to the house: is that the sort of TAFE and vocational education system that we want in Victoria, one that will mean that over the next 5 to 10 years we will simply not have the trained workers who will be needed to fill the skill gaps not just in big industries but also in small industries like boatbuilding? This type of industry might be predominantly there to service a niche market, but it is a very important sector and one that is growing.

Labelling programs that are to be cut as 'basket weaving' or 'fitness' programs is just simply wrong; it is a distortion of the facts. I am sure members on the government benches know this, because they would have had myriad people come to their doors to talk about the true impacts that the member for Mildura failed to talk about in his contribution. These impacts include the loss of 20 skilled teachers and trainers in the member's electorate, people who might find it quite difficult from this point on to find the sort of job opportunities that, up until this budget, had been provided by Sunraysia TAFE.

I can also speak about what is happening at Victoria University, because Victoria University is one of the largest providers in this state. Another result of this transformation, if you like, of TAFE training and the \$32 million of cuts in the budget is that Victoria University is not only ceasing its boatbuilding program but it is having to get rid of veterinary studies and dramatically cut back on its events and tourism, sports, hospitality, and business and financial services programs. It is simply going to offer courses that it believes are viable.

TAFEs, as we know, provide an essential pathway for people to develop skills and training. Many of us have done TAFE training; I am one of them. I have benefited enormously from doing TAFE-based training. In relation to the western region of Melbourne, an important report was completed in 2010 by Regional Development Australia. It was entitled *Melbourne's West — Victoria's Gateway — A Regional Plan*. That report drew a very strong link between educational attainment and employment opportunities for those

living in the western region. The report states, and I quote:

... it can be seen that 4.7 per cent of those who completed year 12 are unemployed, while for those that did not complete year 12 the average unemployment rate is 7.7 per cent.

It goes on to say:

The proportion of western Melbourne residents with post-school qualifications is lower than the average for metropolitan Melbourne ...

That is why programs such as the Victorian certificate of applied learning and VET (vocational education and training) in Schools, and school-based apprenticeships and traineeships are really important in the western region of Melbourne: they provide pathways for young people to gain the sorts of skills and qualifications they need to find and keep meaningful employment.

A couple of weeks ago representatives of Victoria University visited Parliament to provide us with a briefing. What became clear from this briefing was that it is not only the TAFE sector under attack but also the VET in Schools program, because up to this point Victoria University has cross-subsidised this program for 90 secondary schools. That is an enormous cross-subsidy arrangement. It has meant that secondary schools have been able to keep fees down for those students in years 10, 11 and 12 who have chosen to take on the VET in Schools program to obtain work readiness skills.

We now have a situation where secondary schools in the western region of Melbourne and in other parts of Melbourne and Victoria which lost funding for their Victorian certificate of applied learning coordinators in last year's budget now face the prospect of losing cross-subsidy arrangements with local TAFE providers to run their VET in Schools programs. This is a disgraceful set of events, one that will simply drive a wedge between those young people going through our secondary school system who have opportunities based on wealth and those whose families cannot afford to pay the fees that will be imposed on the VET in Schools program because the cross-subsidy arrangements will cease.

That is the sort of thing that will generate the type of unemployment levels among young people that have become a hallmark of the Baillieu government's period of office to date. That is the sort of thing that makes communities in my electorate angry and prepared to campaign against these diabolical cuts. They understand that if you drive up fees for programs such as VET in Schools, families will simply make the choice not to have their children — the students — go

through programs like that. Worse still, that will lead to more young people dropping out of secondary school education and not pursuing skills through vocational education and training.

I challenge any government members who follow me in speaking on this bill to tell this house that all is well in the VET in Schools sector, because what is happening in the western region will be happening right across regional Victoria. It will be happening across all parts of Melbourne, and it will lead to a divide between those who have an opportunity to complete their education and those who do not. In government Labor recognised the value of TAFE institutes in our community and provided additional funding for them to operate effectively. The Baillieu government is absolutely determined to gut our TAFEs, costing hundreds of jobs — which we have heard about already — and hurting students across the state.

I think it is absolutely appalling that members of The Nationals get up and pretend that all is well with the TAFE cuts. This is appalling, and it will hurt country communities. TAFE and VET sectors just cannot afford the sorts of cuts that have been set out in this budget. This will decimate regional TAFEs. It will decimate local economies, and it will limit education options for Victorians. Skills are supposed to be one of the four pillars of this government's economic strategy. If that is the case, it is little wonder that we are beginning to see the foundations of this Baillieu government start to fall away. Its members do not care about skills. They do not care about TAFEs, and they do not care about programs like VCAL and VET in Schools.

This is a defining decision by the Baillieu government. It is one that its members will continue to pay for over many years to come. The Baillieu government stands condemned.

Mr SOUTHWICK (Caulfield) — I rise to speak on the Education Legislation Amendment (VET Sector, Universities and Other Matters) Bill 2012. It is not often that you will find me agreeing with the member for Williamstown, but on this matter I will agree with him and say that all is not well in the VET sector. That is why the Minister for Higher Education and Skills has taken strong measures to reform the sector to ensure that it is more competitive and meets industry needs and to ensure that we have a healthy sector moving forward.

We have had 11 years of absolute waste and mismanagement, and this area is no different to any other area that the Labor Party has touched. Labor absolutely has the Midas touch. Rather than turning

something from bad into good, it turns something good into an absolute disaster. We have seen it with this particular area. It is all very well to look at the reforms that were made in the last few years prior to the Labor Party losing government. If you look at the numbers, enrolments grew under the new process from 381 000 in 2008 to 549 450 in 2011 — a 44 per cent increase in the sector. The bulk of that, or 29 per cent, occurred in 2011 alone. You might look at those figures and say in isolation that that sounds terrific. More people are taking up training opportunities, and that is what we are all about. We want to see more young people entering training opportunities and furthering their education and training.

In isolation it sounds good, but as a package it is unfortunately symptomatic of the way the previous government handled things, because to have that growth you need to fund it. The previous government had \$800 million allowed for in 2008. That figure blew out to \$1.3 billion, which left a \$500 million black hole for which it needed to find funding. We have taken that on, and we have managed to progress forward and ensure that we invest in vocational education in Victoria with an additional \$1.2 billion over four years.

By doing that we have ensured that we are funding courses for which there are opportunities at the other end of the scale, so there is not necessarily just the demand coming in. It is exciting when there are courses that sound really good in theory, but if there are no jobs at the other end, this leads to nothing but massive disappointment for a young person looking for a job. As a government, we are making sure that there are opportunities, that courses lead to jobs and that courses are distinctive in their output. This leads to a more productive education system all round.

This bill looks at strengthening the vocational education system in Victoria. It makes a series of amendments to the Education and Training Reform Act 2006 and to university acts. It also makes significant changes through a number of different processes. It creates additional measures of training to ensure that the Victorian system is of high quality and that consumers have information and choice about training.

Victorian industry will be given a stronger voice and a critical role in directly influencing the vocational education and training (VET) market to deliver outcomes for business and our economy as a whole. That is an area that I want to spend a bit of time on, because I think it is absolutely crucial. When we are talking about the vocational education and training system in Victoria, industry engagement is absolutely paramount. We need to ensure that we have industry

leaders who are talking to the training providers, making sure that the courses are relevant and making sure that there are jobs at the other end of it.

We have heard a lot of crying over this particular bill — about the refocus of the Victorian Skills Commission and of industry training advisory bodies (ITABs). People have been asking: why are we looking at disbanding these; why are we not putting more effort into just providing the same old system? We are refocusing to a market-driven system. At the moment there are 16 ITABs; some are very good ITABs and some are ITABs that many of the players would not even know existed.

Mr Nardella interjected.

Mr SOUTHWICK — We are ensuring that there is effective labour market advice to government — —

The ACTING SPEAKER (Mrs Victoria) — Order! The member for Melton will have his turn. I ask him to desist.

Mr SOUTHWICK — We are ensuring that these ITABs are industry relevant. The member for Melton can shout all he likes, but he realises that he was a member of the previous government and he did absolutely nothing for this particular area. He just rants, raves and shouts, but he does not deliver.

Mr Nardella — I went through the TAFE system.

Mr SOUTHWICK — This bill delivers and the TAFE system delivers. I hear the member for Melton saying he has been through the TAFE system. I have taught in the TAFE system and I have done a lot of work on the TAFE system. If the member for Melton likes, I could give him a good education — —

The ACTING SPEAKER (Mrs Victoria) — Order! I am not appreciating the banter across the chamber. If members would like to do that, would they please take it outside. If not, we will continue to hear the member for Caulfield.

Mr SOUTHWICK — We are looking at a reform of the system to make sure that we have industry skills consultative committees that are appointed by the minister and industry leaders. These committees will be made up of 12 members and will provide direct feedback to government. These are industry leaders — people who are at the coalface and people who alongside the training providers can determine what opportunities there are at the end of courses, which is absolutely important.

The ITABs can continue to operate if they have industry support, but if they do not have industry support they will not be able to continue. This is very much a demand-driven system, it is an output-driven system and, most importantly, it is a job-driven system. We are ensuring that there are jobs at the end of courses that are on offer, that there is industry engagement and that there is proper industry consultation, which is absolutely paramount.

I refer to a report by the Boston Consulting Group which suggests that the current model, with the Victorian Skills Commission and industry training advisory boards, was established when government played a planning and purchasing role in the VET system, but with the transition in the training market many of these functions are no longer essential to the operation of the VET market. The report goes on to say that examination of the architecture of the system reveals a clear case for more fundamental change to fulfil the functions required of Victoria's training market, to look at the capacity to provide required inputs, to ensure that there is effective synthesis of the labour market and to make sure that proper industry engagement has an active role. This is what the 2011 independent report from the Boston Consulting Group said, and that is what we are looking at doing.

We are ensuring that the increasing investment by our government is in courses for which there is a demand and which at the other end lead to jobs for those who complete them. There are a number of other reforms in the bill. It will reform university acts and ensure that university council members can take leave so we do not lose good council members when they have important things to take care of along the way. Most importantly, we are ensuring that there is financial viability. The bill will get rid of the dodgy private providers. We have heard many stories of dodgy providers who have been using recognition of prior learning for all sorts of advancements and using double degrees.

The bill effectively ensures that we have proper control mechanisms, that we put the TAFEs and the private providers together, and that we provide support in a competitive, open and transparent market. Most importantly, the people who will benefit at the end are the young people, and they will benefit through jobs, better opportunity and productivity. It is something that this government has been very proud of with all the legislation we have brought before the house. It is something that the opposition knows absolutely nothing about. We will continue to make sure that we have a sound economic platform, productivity, focus and, more importantly, jobs and output for this state. I commend the bill to the house.

Ms HALFPENNY (Thomastown) — I rise to speak on the Education Legislation Amendment (VET Sector, Universities and Other Matters) Bill 2012 and state, as other members on this side of the house have, that we will be opposing this bill. Before going into the details of the amendments made by the bill, I would like to comment that it is very clear when government members are speaking on this bill that they have absolutely no understanding of the trades and technical training provisions and where those provisions sit. Trades and technical training is very different to other vocational training.

When we are talking about TAFE it seems that government members give a lot of examples from certain areas, but this bill makes amendments to implement the government's agenda of getting rid of the Victorian Skills Commission. This is a completely different issue to the issues raised and the arguments put by members on the other side of this house.

The bill contains a number of amendments, and I do not want to repeat all the details outlined by previous speakers. There are just a couple of amendments in the bill we are currently debating which I would like to address. The areas I seek to discuss pertain to the trades and technical training aspects of the amendments made by the bill. The first one is the transfer of the regulatory functions of the Victorian Skills Commission in regard to apprenticeships to the Victorian Registration and Qualifications Authority (VRQA).

In light of what the government is doing to ransack the TAFE sector and stop funding industry training boards, for example, we can really only wonder about the motives behind the scrapping of the Victorian Skills Commission, another body that has had union participation. We know how much this government hates working people and unions, so we have to wonder about that. The amendments made by the bill to transfer the regulation of apprenticeship training from the Victorian Skills Commission show a lack of understanding from this government. The Victorian Skills Commission is a very important part of skills training and development in Victoria. These amendments and the lack of a satisfactory explanation for them from the government concerns us so much that we have to oppose the bill.

We wonder what the government's next step is going to be in relation to the issues of apprenticeships and skills development in Victoria. We are left wondering if the high standards in quality assurance and regulation will continue under such transfers of power, because the VRQA has limited resources to undertake the vital role of regulating and ensuring the continuation of

Victoria's really good apprenticeship system. It is a system that serves industry well and also provides a holistic and broad range of skills to the individuals who undertake apprenticeships so that they can work in a flexible and innovative way.

Furthermore, this amendment adds to the disgraceful message the government is sending through what it is doing to the VET and TAFE sectors to those who are seeking to begin or are undertaking an apprenticeship. They will be left wondering whether it is important and whether they should be doing it.

Employers are always telling us that there is a shortage in trade skills. There is the age old struggle to ensure that training is attuned to industry needs, because we need to be competitive, flexible and innovative to attract important industry to Victoria. However, we have seen an attack on industry training boards that provide independent advice from all sectors — industry, employers, unions and training providers — and we have seen the scandalous attacks on TAFE in the budget, and now we are led to suspect that we are witnessing the beginning of attacks on our apprenticeship structures and trades. If we are talking about having a strong economy and a strong manufacturing industry in Victoria, this is madness.

We on this side of the house fear that the Victorian Registration and Qualifications Authority will not be equipped to administer the regulation of apprenticeships. We hear that there is a massive increase in the number of private providers in the vocational training sector, and we hear about cases of unscrupulous training providers in the private sector. We would have thought that these would be the things the VRQA would be investigating and regulating and that it would have more than enough work to do without also having to be part of the regulation and oversight of the apprenticeship system. The apprenticeship system may be ignored and not given the support it needs to ensure that we have the proper skills that are necessary for industry and for developing the Victorian economy into the future.

I have received an overwhelming response from the residents of my electorate of Thomastown expressing concern, anger, frustration and even distress about the cuts to the TAFE system. I have learnt that many residents have participated in vocational, trade and post-trade training at the Preston, Epping and Heidelberg campuses of Northern Melbourne Institute of TAFE as well as at Kangan Institute. Students and apprentices, both past and present, and teachers have expressed alarm at this government's full-on assault of the training and skills sector.

In the absence of any clear and definitive reasoning by this government, we can only assume that the amendments made in the bill before us today that move regulation of apprenticeships away from the VSC can only mean that the government does not value tradespeople and industrial skills, just as it has demonstrated that it does not value the manufacturing industry and does not understand how vital that industry is to the health of the Victorian economy.

I turn to addressing the amendments that were made to transfer powers to recommend the removal of unsatisfactory TAFE directors from the VSC to the minister. What happened to transparency, impartiality and openness? Again this government's actions fly in the face of its now broken promises to be transparent, clear and open. The minister will now determine whether TAFE directors are unsatisfactory or not. For example, there may perhaps be an attempt to gag TAFE directors through the fear that if they speak out against government policy, they will be deemed to be unsatisfactory performers and removed from TAFE boards. This is an area where the government really does not provide any reasonable explanation, and it could be seen to be open to abuse by the minister rather than allowing an independent body to determine whether or not a TAFE director is satisfactory.

In summarising the contents of the bill, particularly with respect to the areas of technical trades and skills, it really is a concern that the government looks to be moving in a direction of trying to remove regulation and the good system we have for apprenticeships and technical training. The government seems to lack an understanding of the economic necessity of having a strong, independent and impartial training system around apprenticeships, technical skills and the education of people in Victoria. These skills are required by all sections of industry — providers, employers and unions. They know the training that is needed for industry, and they really need to inform government about where this is going. But we are bearing witness to a government that is recklessly determined to crush or wage an onslaught on the TAFE system, which includes apprenticeships and technical training.

It seems that the amendments contained in the bill really demonstrate that the government lacks an understanding of industry policy and the need for direction within industry. We need an innovative and highly skilled workforce to attract industry and investment to the Victorian economy. Just like its problems with industry development — —

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

Dr SYKES (Benalla) — It gives me great pleasure to make a contribution to the debate on the Education Legislation Amendment (VET Sector, Universities and Other Matters) Bill 2012. I would like to open my commentary by trying to give a big-picture perspective on the importance of education particularly from a regional point of view.

I start by saying that education is the passport from poverty to prosperity. Those of us who have had the opportunity to visit other countries around the world have seen developing countries where those who are able to attain an education gain a significant advantage over those who cannot. What people are prepared to do to gain an education for themselves or their children beggars belief. I have been in Cambodia, Vietnam and many other developing countries, and I am absolutely inspired by what people are prepared to do to gain an education.

You can see children as young as 8 or 10 years old out on the streets. They are not begging but are out on the streets selling books or doing something that will enable them to generate some income so that they can pay for an education. In their situation that primarily relates to learning English, because they know that if they learn English, it gives them an opportunity to engage with tourists, and if they are able to engage with tourists, it is their passport to prosperity. I am very aware from that raw experience of the importance of education.

Coming to the Australian context, I am very aware that for Australian people the same thing applies, albeit it is not so graphically demonstrated. I am very aware from my 10 years in this job and my previous 30 years working in rural communities that education provides the opportunity of freedom of choice, and that regrettably young people in country Victoria and country Australia have missed out as a result of the high costs of higher education, the lack of opportunity and regrettably their lack of aspiration and that of their parents. Therefore this bill and the policy of the Baillieu-Ryan government to address the issues of delivering attainable, affordable education to all Victorians is absolutely paramount to my sense of social justice.

I will look at this bill in relation to vocational training in particular. What we found on coming into government was a vocational training situation which was unsustainable. When the rivers of gold are flowing it is possible to create and maintain a demand-driven

training system without a cap; you can say, 'That's okay'. But when that demand-driven system without a cap does not have accountability and relevance controls, then you really start to question the wisdom of those who put that system in place.

The rivers of gold have stopped flowing; they are now back to a trickle, and the tough times have come. We, the conservative coalition government, have the responsibility of getting the best bang for the taxpayers buck and delivering outcomes that ensure an equitable chance of education for our many aspiring students. This bill, amongst other things, is about putting in place a governance system that will ensure that we get the best bang for the taxpayers dollar and that we do the best that we possibly can for our young people.

I am sure other speakers have covered the issues of the current situation in terms of there having been a cost blow-out — the cost of the demand-driven system has gone up \$400 million a year in excess of calculations. That in itself is a worry, but when it has been identified that there has been a lack of accountability and there has been overt roting by both private and government providers and a lack of efficiency — which is something that really frustrates me — and also a lack of relevance in the training that has been provided, then I say the time has come for a reality check. This legislation is part of that reality check.

How are we dealing with that reality check? This legislation is part of it, and we have had the tightening of the purse strings. It is interesting that in my electorate there have been variable reactions. It would be fair to say that the first response of Goulburn Ovens Institute of TAFE, which is a major vocational training institute, was 'Wow! Wearing a \$10 million income cut is going to impact on us severely'. Since then it has stepped back and looked at the issues that we are attempting to confront — issues of relevance, quality of product and accountability — and we are now trying to work through the situation and ensure that our country young people can be provided with education opportunities within the new financial constraints.

What that means is reassessing the way we are delivering education. Having two or three students in a classroom occupying the time of a lecturer may not be giving you the best bang for your buck. Maybe there are other ways of delivering that education. That is where the implementation and adaptation of technology, including communications technology, can actually deliver the outcomes you want at a much lower cost. I know from talking to a young person who is a student at RMIT that that institution has made significant cost reductions in its delivery of education

by the use of Facebook as a means of communicating with students. It has reduced its IT costs by utilising the IT skills and capacity of the Facebook system to communicate with its students.

I am also aware that, at a local level, Mansfield Secondary College provides an absolutely outstanding service to young people in the Mansfield area. About 120 young people participate in a school-based apprenticeship system. There is enormous community support for that system. The local businesses and primary producers are 120 per cent behind the school that delivers this fantastic program. Just two weeks ago the quality of that system was acknowledged when Julie Aldous, the coordinator of the agriculture-based component of the program, and student Michaela Baker received public recognition. The school was grappling with the new funding arrangements, and some public concerns were raised with me. However, the reality is that 70 per cent of the courses the school delivers are going to be adequately supported because they clearly fulfil the requirements in producing outcomes for which there is clear employment demand.

That is consistent with our policy on apprenticeships. Apprenticeships are receiving increased support under the new arrangements. There are, however, 50 out of 120 students for whom assistance measures are being reduced. In the general assessment of the situation there have been comments made about the lack of employability of graduates of those courses, which include retail, hospitality and physical fitness. The Mansfield students may well be very employable because in that community those services are required. Country kids going to Melbourne can use those skills to gain part-time work while they pursue an education in Melbourne. There is potentially a simple solution available locally, and that is that the Mansfield Community Education Centre help provide that education to Mansfield Secondary College students.

What we have is a changing circumstance. No longer do the rivers of gold flow, so no longer do we have the money to spend at will. At the same time we have incurred what is now known as the Holding tax — that is, the \$2 million a day that Victorians will pay for the next 30 years. We are addressing that situation with common sense — —

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

Mr NARDELLA (Melton) — We have just heard some real weasel words from the honourable member for Benalla. He is saying that he wants young rural people to stay in rural and country areas and education

providers to offer tailored and affordable courses. In actual fact what the clauses in this bill do is take away the opportunity from very young people and also mature people in rural and country areas. I was a member of the Rural and Regional Committee when it composed its last report. That report talked about needing to keep young people in country areas and doing that through education, training, mentoring and support. Yet this legislation and other actions of this government are taking away those opportunities from the very people whom the member for Benalla professes to support, represent and advocate for.

Millions of dollars are being ripped away from TAFEs. About 1000 jobs in country Victoria are going to go, along with 4200 public servants. This is on top of up to 1500 TAFE positions in the metropolitan area and other cuts that have already been announced at five TAFE campuses in rural and country areas of Gippsland. How is that, in any way, shape or form, going to assist those mature people who want to skill themselves so that they are able to gain a job in the areas that this bill is making cuts to?

Let us go through the courses that this government is making cuts to. This is coming from the laissez-faire, capitalist system party. It is coming from the Liberal Party, the conservatives and Tories of this state who are in government. This bill will make cuts to business courses. The government is out there cutting business courses to support its own backers and mates. The bill makes cuts to hospitality courses. The hospitality courses in many TAFE institutes are being cut. The retail sector needs skilled workers, and what is this government doing through this bill? It is cutting retail courses. It is cutting customer service courses, event management courses and fitness courses. These are the types of courses that in fact assist government members' comrades in business to make the profits they talk about and want to support. In fact the government is taking away that support, but worse than that, it is taking those opportunities away from country and rural Victorians.

We have had one member of The Nationals after another get up to speak. We had the honourable member for Mildura talking previously in his weasel words about supporting the Sunraysia Institute of TAFE and supporting young people and yet Sunraysia TAFE is looking at losing \$6.5 million. Tell that to the young people who are going to leave Mildura, who are not going to have the opportunities that people like I had.

Earlier we heard the honourable member for Caulfield talking about the industry training advisory bodies

(ITABs and saying they are all corrupt and that some of them are not working. I asked him not to read from his bill book, not to be just a clone of the government and to tell us which particular ITABs were corrupt or not working, but he did not know. He had no idea. He said, 'Some of them might not be that good'. I will tell you what: he is no good because he is taking away the opportunities of the people —

Mr Southwick — On a point of order, Acting Speaker, I ask if you could advise the member to make his comments through the Chair and not directly across the chamber.

The ACTING SPEAKER (Mrs Victoria) — Order! I uphold the point of order and ask the member for Melton to address his comments through the Chair.

Mr NARDELLA — We have heard the member for Caulfield, who not only just read from his bill book but talked about getting rid of the dodgy providers. Which ones? He has parliamentary privilege; he is in cowards castle. Which ones are the dodgy providers? He should name them. He could not name one, because these providers, be they in the TAFE public system or the private system, try to look after their students.

A lot of students use TAFE as a pathway to getting back into learning, back into education, back into real jobs and back into higher education. Victoria University, along with others, uses the TAFE system to train up young people. They get confidence in being able to do that work and then they move forward. They move up to diploma or degree courses. What this government of opportunity — these opportunists on the other side who are not giving opportunities to those people — is doing is saying to those people that not only will it take away these courses but also that people can do the courses if they are able to provide not \$2500 but all the way up to \$8000. These are the mums and dads who want to get back into work. This government is doing a very bad thing to those communities.

There is a parliamentary report on education from a couple of weeks ago that talks about opportunities for young people. When you look at what this government is doing to rural and regional TAFEs and the life chances of young people in country areas, you see that the government is abysmal. Young people should be able to stay in their communities and work on their farms and in shops and other places close to home.

This bill recognises that \$290 million will be cut from the TAFE system by 2013. The Labor government put this system in place because it wanted to give young people and people wanting to return to work the

training and opportunities they deserved. Before we put this in place, tens of thousands of people missed out on training and other opportunities. We opened it up. Not only did we open it up within the public system but we also opened it up in the private system. If we are accused of having been laissez-faire and a bit capitalistic on this occasion, I am happy to have that accusation thrust at me, but we were trying to look after those people.

Unlike the honourable member for Caulfield, who said he taught in the area, I have experience in that I was actually trained in the TAFE system. I got my crane drivers licence, my crane chasers licence and a couple of welding tickets, and I am very proud to still have my metalworkers ticket. I am still a metalworkers member with 'First Class Welder' on my ticket, which I got through the TAFE system. Yet these are the opportunities that this miserable government — —

Mr Southwick interjected.

The ACTING SPEAKER (Mrs Victoria) — Order! I will give the member for Melton the same respect that was afforded to those on the other side of the house.

Mr NARDELLA — That opportunity was given to me so that I could progress and do the things that I needed to do to look after myself and my family. Government MPs are very good at attacking teachers, and that is what they have done throughout this debate. They are worthless. They maintain that when teachers have these free periods — the 8 hours talked about before — they get on to the chaise longue, put on the bikinis or the togs or the budgie smugglers and have 8 hours off. Of course they do not. They go in there and they do preparation, and they do the marking and the work that is needed to teach the next classes that are coming up ahead of them.

But that is the Kennett way. That is what this government is about — putting in place the Kennett policy of destroying the opportunities and the life chances of young people not only in country and rural Victoria — and The Nationals stand condemned for that — but also in metropolitan areas.

Ms McLEISH (Seymour) — I rise with pleasure tonight to speak on the Education Legislation Amendment (VET Sector, Universities and Other Matters) Bill 2012. As we have heard, this bill proposes amendments in relation to the regulation of vocational education and training (VET), to the governance of adult, community and further education bodies, to apprenticeship regulation and to eight university acts. I

will be speaking about the apprenticeships, the governance in the adult education sector, regulation when a provider is not meeting their responsibilities and the facilitation of cooperation between Victoria's education regulators and their commonwealth counterparts.

I want to begin by putting some framework around this issue because essentially the bill is here to strengthen the vocational training system in Victoria through a series of amendments to the Education and Training Reform Act 2006 and the university acts. There are quite a number of significant changes in the VET sector as a result of the last budget process. These changes are absolutely necessary to ensure that we have a sustainable VET system in the future. We have talked about the quality of training provided to our young people, and this is absolutely integral to us going forward as a strong state.

Recently I walked into a business in one of my local towns — this was before the budget was announced — and someone said, 'You have to do something about the training because it is absolutely deplorable that people apparently have skills but in reality do not have skills. I am expecting people whom I have employed to come equipped with skills, and they are coming to me without skills and I have to retrain them'. He was criticising the quality and output that some of the institutions deliver. We had a system that was fairly shambolic, I would suggest, heading down a path of unsustainability, and these changes are about further strengthening that system in the future for Victoria.

The ACTING SPEAKER (Mr Nardella) — Order! The time has come for me to interrupt the business of the house. The honourable member will have the call when this matter is next before the house.

Business interrupted pursuant to sessional orders.

ADJOURNMENT

The ACTING SPEAKER (Mr Nardella) — Order! The question is:

That the house now adjourns.

HM Prison Ararat: expansion project

Mr HELPER (Ripon) — Let me quote from the editorial of the *Ararat Advertiser* of 15 June, which is headed 'Ted Baillieu's silence continues to be deafening':

This week's announcement of the collapse of the Aegis Consortium overseeing the expansion to the Ararat prison is yet another blow in a long list of blows to hit the project.

And still the silence is deafening from Premier Ted Baillieu.

I address my adjournment matter to Premier Ted Baillieu, and the action I seek from the Premier is that he finally get off his butt and get to Ararat to reassure the community that this government has some sense of responsibility for the economic future of that community.

The community of Ararat has been devastated by the halting of the Ararat prison project. Whilst I appreciate the briefing the Minister for Corrections gave me and I am sure he is doing all he can within this government that seems to not care about anything beyond the tram tracks, I address this week's adjournment matter to the Premier and ask him to finally, as I said, get off his butt and get to Ararat and address the concerns of that particular community. It is a community that is suffering as a consequence of the collapse of this project, with both the contractors and the workers employed by those contractors not being paid. It is suffering an overall economic decline due to the collapse of this project.

What I am seeking from this government is that it take the issue of the collapse of the Ararat prison project to heart, treat it seriously and live up to its responsibilities of being the government of the day by engaging with the Ararat community, so that we have some chance — —

Mr Hodgett — Retire!

Mr HELPER — Don't tempt me, because to be perfectly frank, right now you would lose a by-election in Maryborough something chronic.

Mr Hodgett interjected.

Mr HELPER — Like I say, don't tempt me. I know it is rude to respond to interjections. What this government is doing, or failing to do, in the case of Ararat is absolutely disgraceful.

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

Australasian Worldwide Music Expo: marketing

Mrs VICTORIA (Bayswater) — I rise tonight to ask the Minister for Tourism and Major Events, who I am delighted to see is in the chamber, to provide funding to help market the Australasian Worldwide

Music Expo (AWME) 2012. The expo is being held this year from 15 to 18 November and has the potential to develop into a significant international music industry event which will continue to build on Melbourne's reputation as a place for major events and the arts and as the live music capital of Australia. The event will showcase indigenous, folk, roots and world music artists.

Over 300 local and international artists will be selected to perform at the event this year, and more than 60 performances will take place, featuring groups from both Australia and some of our nearest neighbours, like New Zealand and Papua New Guinea, as well as China, India, Indonesia, South Africa and also the USA.

The expo is being presented as both a public and an industry development forum, and local, interstate and international audiences will be given the opportunity to experience music from the region and from around the world. Local artists will have exposure to over 500 industry development representatives from Australia and overseas, giving them the opportunity to market their product to international buyers. The program has been very successful in the past, and I wish all of the people participating the best of luck in continuing on with that trend. The expo will include industry development initiatives along export and touring lines and management-related negotiations, as well as the ability to participate in some 25 workshops which will be held as part of the conference program. International delegates will be representing record labels, media, festivals, booking agents and presenters.

The 2011 expo program attracted an audience of about 8500 as part of its public showcase. The program included approximately 15 showcases staged at some of our wonderful venues in Melbourne, including the Arts Centre, the Hi-Fi Bar and the Toff in Town. This year we will be adding some new venues to the program in an effort to increase ticket sales and attract at least 10 000 people to program events.

Again I ask the Minister for Tourism and Major Events to provide funding to help market the fantastic 2012 Australasian Worldwide Music Expo so that the event will continue to strengthen Melbourne's position as the event, arts and live music capital of Australia.

Southern Health: Narre Warren South electorate constituent

Ms GRALEY (Narre Warren South) — My adjournment matter is for the attention of the Minister for Health and concerns the health of a constituent from my electorate, Mr Donald Lundberg. The action I seek

from the minister is that he assist Donald in securing knee and hip replacement surgery. Donald is 74 years old and until earlier this year worked full time. Unfortunately Donald was forced to stop working just as he began negotiating for a new contract doing a job that he loved. Donald finds himself in a constant state of pain and discomfort and unable to walk without a cane, as he requires knee and hip replacement surgery.

Donald sought treatment through Southern Health, and in February of this year was placed on a waiting list for a right total hip joint replacement. Classified as semi-urgent, Donald should have been admitted within 90 days. This did not happen, and Southern Health has been unable to provide a date or even a time frame for when Donald's procedure may occur. It is simply an appalling situation. This is not the fault of the doctors and nurses at Southern Health, who are hardworking and caring professionals.

Donald is one of many, not only from my electorate but from right across Victoria, who are feeling the impact of the Baillieu government's disgraceful cuts to the Victorian health system. The 2010–11 budget delivered \$482 million in cuts to our health system and a forecast of a further \$134.1 million in cuts this year. This is an extraordinary \$616.1 million in cuts and is disastrous for those, like Donald, who are waiting for treatment. Southern Health alone has been forced to commit to doing 1858 fewer elective surgery procedures than in the previous year.

An article by Grant McArthur published in the *Herald Sun* of 6 June quotes from a confidential memo by the director of a Monash Medical Centre department. The article states:

The memo said ... 'Along with the rest of the hospital, the ... department here at Clayton is having to make major reductions in staffing levels of both senior and junior medical staff ...

We will have to reduce our sessional commitments across the board to all areas including theatre and out-of-theatre support to cardiology, radiology and endoscopy'.

The article further states:

The director said Southern Health doctors would have to order fewer tests and treatments for patients or allow waiting lists to blow out further.

That is the list that Donald is waiting on.

I say to the minister that Donald Lundberg is in real pain. I ask myself: does this government care about the health and wellbeing of Victorians? Donald Lundberg deserves better. His family and his dear wife, Patricia, do not want him suffering him any longer. The minister

said at the Public Accounts and Estimates Committee estimates hearings that he would do the best he could to reduce waiting lists. I suggest to the minister that for Donald Lundberg he had better try to do his best. I ask that the minister provide Donald Lundberg urgent assistance in securing his treatment.

Water: Murray-Darling Basin plan

Mr CRISP (Mildura) — I raise an issue for the Minister for Water. The action I seek is the minister's commitment to support communities in northern Victoria and not to support the draft Murray-Darling Basin plan in its current form. The Mildura area and northern Victorian communities in general have economies which are very heavily dependent on the irrigated agricultural sector. In the Sunraysia region the horticultural and viticultural sectors are important industries for growth and employment, and there is also an emerging vegetable industry growing on the back of a good climate and access to water.

However, with the release of the guide to the Murray-Darling Basin plan in October 2010 and the subsequent release of the draft basin plans in November 2011 and May 2012, my communities have been in a state of limbo as they wait for the fate of their community to be decided by a federal authority which has apparently made its sole aim the destruction of the rich social and economic regions of northern Victoria.

Any industry faces unknowns in its future operations, but agriculture certainly has a higher share than other sectors. Farmers have to contend with weather, commodity prices, input costs and exchange rates, to name a few of the big challenges. The basin plan development process has added to this list of unknowns and the uncertainty that comes with it. This commonwealth policy has caused great angst for irrigation communities and crippled much-needed investment following an incredibly severe drought.

Communities have been grateful for the support of the Victorian government throughout this period, with the Minister for Water making a very clear commitment to ensuring that northern Victorian communities would not be decimated by a bad basin plan. The Minister for Water has focused on achieving the environmental outcomes of the plan in a more innovative, efficient and effective manner, which would mitigate the direct and consequential impacts of the plan on my community and indeed on all irrigation communities.

However, my electorate was shocked a week ago when the Mildura Labor branch president, Ali Cupper, announced that the branch would be supporting the plan

in its current form, as this is the only way of restoring the river to health. I was flabbergasted when I heard that. How could Labor Party members be so out of touch with the needs of the community? How could they think that this would lead to a good outcome for the Mildura and Robinvale communities in the long term? Rather than looking at the proposed plan and understanding its many inherent flaws which would cut jobs and investment in my local community, Labor Party members have simply accepted this death warrant from their political masters in Canberra as a given and condemned rural Victoria to a second-class future.

Lalor Gardens Primary School: funding

Ms HALFPENNY (Thomastown) — I raise an urgent matter with the Minister for Education regarding the plight of students, teachers and staff at Lalor Gardens Primary School. The action I seek is for the minister to provide essential funds to ensure that school facilities are up to the standard of other newly built schools. Specifically I seek funding for required equipment, furniture and information technology; outside maintenance to convert a muddy, rock-filled building site into a safe place where children can play; asphalt in the car park; building the hall which the school community had but which has now been taken from them; and, most critically, extra teaching resources to compensate students who have had their learning disrupted over the course of this year, in particular in the last three weeks, because of the lack of funding.

Two school communities, those of Lalor West Primary School and Lalor Park Primary School, took great initiative and courage in approaching the Department of Education and Early Childhood Development with a proposal for a voluntary merger. It was agreed that a new school would be built to provide practical spaces to embrace new and powerful learning pedagogies in the interests of students. The merger would be achieved with the federal government providing \$7.5 million to build the new school. The Lalor West Primary School community moved to Lalor Park Primary School as an interim measure and accepted without complaint the unavoidable inconveniences. The full merger was completed in 2010 without any cost to the education department. On the contrary, it saved millions for the department, including nearly \$3 million in running costs — that is, the global budget of the vacated school — and the \$7.5 million that was provided by the federal Labor government to build the school. Several million dollars will also be made in potential revenue from the sale of the old Lalor Park school land.

It is estimated that an additional \$200 000 is needed to provide essentials for the new school, yet the education department has only coughed up a pitiful \$88 000. Through this debacle critical learning opportunities have been denied to students, such as this year's Victorian Premiers' Reading Challenge. Instead of coordinating this important activity, school personnel have had to deal with funding shortfall crises, parent frustration and, to top it all off, going cap in hand to the minister to be told to be grateful for crumbs. Our kids are more important than this.

I plead with the minister not to throw our children's futures away. Extra teaching support is now needed to ensure that the children do not miss out on any aspect of their learning due to this debacle. Even now the school is intending to cut literacy and numeracy programs that provide extra support to students. Why? Because money is needed to lay crushed rock over a muddy landscape so it is at least safe to walk on, although it will not be safe to play on.

To sum up, two enlightened school communities initiated a school merger, the department saved millions and \$200 000 is needed. The minister's only response to me and to many people in the community could be yes.

Bright Art Gallery: funding

Dr SYKES (Benalla) — My matter is for the Minister for Regional and Rural Development, and the issue I raise with him is a request to assist with the future development of the Bright Art Gallery. The Bright Art Gallery is in the beautiful tourist town of Bright in the upper reaches of the Ovens Valley. The town is most well known for its fantastic autumn colours, but it is also the hub of a vibrant local community, of which the art gallery is a key component.

The art gallery staff have conducted an annual autumn art exhibition for the past 50 years, and just recently the 50th art exhibition was opened by the Parliamentary Secretary to the Premier and Assisting the Premier with the Arts, the member for Bayswater. The autumn exhibition is an integral part of the Bright Autumn Festival. It is very important because, first of all, it provides an opportunity for artists to display their wonderful artistic talents, and the artists come from near and far. Secondly, it is a must-do activity when people come to Bright — to go to the art gallery and view the paintings and enjoy the various expressions of artistic talent. It is also a source of income for the local community in that many of these paintings are sold to

people from outside of Bright, which brings external money into the community.

However, the gallery needs upgrading. The gallery billows with paintings; I think several thousand paintings are on show during the exhibition. There is a need for better atmospheric control so the quality of the paintings can be protected, particularly the art gallery's collection. There is also need for an upgrade of the kitchen and a need to improve access for people with a disability.

Members of the local community have lobbied long and hard, led by Ian Cheyne. They have spoken with me and the parliamentary secretary on a number of occasions. Ian Cheyne and Brian Kelly came to the Parliament in April 2011 and lobbied hard. More recently they met with me and the parliamentary secretary when she opened the autumn exhibition in April this year. Shortly after that they lobbied Damian Drum, who is a member for Northern Victoria Region in the Council and the Parliamentary Secretary for Regional Development. We have listened to their representations, and we realise it is important to support this local initiative. Not only is it supported by the art gallery community but it is supported by the broader community and the Alpine shire. I seek the minister's support in the form of funding to kick this project along.

Students: education conveyance allowance

Ms NEVILLE (Bellarine) — The matter I raise is for the Minister for Education, and the action I seek is that the minister urgently review the decision of the Department of Education and Early Childhood Development that Leopold families are ineligible for the conveyance allowance for children attending Christ the King Primary School in Newcomb.

Earlier this year families who had been receiving the conveyance allowance were advised by the department that they were no longer deemed to be eligible. The decision was supposedly based on the current availability of public transport bus services between Leopold and Newcomb. There is no dedicated school bus available, and parents have serious concerns about their young children using the current public bus service because it does not meet the needs of the school times and because it requires a long walk across a four-lane highway for the children to get to school. Parents have raised their concerns about this with both the department and the minister, and I have also raised this matter in this house and in an email to the minister. Unfortunately the decision stands, leaving families unsure and anxious about the future.

I appreciate the letter I received from the minister in response to my email on 12 June this year.

Unfortunately the minister has not quite understood the issues or has been incorrectly briefed by the department. It is not true, as was suggested, to say that the families were previously ineligible and thus getting the conveyance allowance incorrectly. The change was a result of a change in the policy of the department this year.

The minister also points out in his letter that if public transport is available, the allowance is not claimable. In reality that is the case — yes, there is a bus that travels between Leopold and Newcomb — however, the facts are that this bus is not a realistic option for these primary school students. The most obvious reason for this is that the bus timetable does not fit with school times. The 7.54 a.m. bus from Leopold arrives in Newcomb at 8.02 a.m. The children would then have to cross the four-lane Bellarine Highway unsupervised, walk 10 minutes and arrive at school at 8.15 a.m. The school is unsupervised at that time, and parents are told not to drop their kids off at school before 8.30 a.m. That is unacceptable. The next bus is at 8.50 a.m., which is too late because school starts at 8.45 a.m. Again, this is not a practical option.

This situation is affecting 27 families. The Leopold families with children at Christ the King Primary School have waited for months to have this situation reconsidered and resolved. I ask the minister to review the department's decision and provide a fair and practical outcome for these families so that they can continue to send their children to Christ the King Primary School in Newcomb.

Forest Hill electorate: ministerial visit

Mr ANGUS (Forest Hill) — I raise a matter of importance for the attention of the Minister for Water. The action I seek is for the minister to come to the electorate of Forest Hill to meet with some of the residents in the electorate and provide an update on various water-related matters in Victoria.

Many residents in the electorate of Forest Hill have worked very hard over recent years to ensure that they are using the precious resource of water wisely. Some residents have invested significant amounts of money to ensure that they manage their water resources responsibly. They have undertaken a number of initiatives, including installing water tanks, using water recycling initiatives and using water more frugally. Other residents have, very sadly, had to reduce the size of their beautiful gardens or in some cases let them die altogether during the years of drought.

In order to better manage water resources in the future, the coalition government has undertaken a wide range of programs in relation to responsible water management. Finding out more about the various water-related initiatives such as the Living Melbourne, Living Victoria plan for water would be of interest to many Forest Hill residents. The opportunity for the minister to further articulate and explain this program would be very informative for the residents of the Forest Hill electorate.

Additionally, hearing from the minister about other water-related matters would also be very well received. For example, the minister could provide an update to the residents on the progress of the Victorian desalination plant and the implications for all Victorians of this plant coming online. I am sure many residents of Forest Hill will be very shocked to learn about the nature and quantum of the fixed financial commitment the previous Labor government has encumbered all Victorians with for the next 27 years. Many residents would be unaware that the cost of this plant to all Victorians, excluding the cost of any water purchased, is almost \$2 million per day for 27 years, which will directly impact on all Forest Hill electorate residents.

Obtaining more information from the minister regarding various water rebate programs that reward Victorians for their efforts to be water efficient around the home, the garden and small businesses would also be of interest. I welcome the opportunity to meet with the Minister for Water. I look forward to the minister's visit and the opportunity for him to meet with some of the residents in the electorate to discuss water-related matters of importance with those residents.

Eaglehawk Road, Bendigo: pedestrian crossing

Ms EDWARDS (Bendigo West) — The matter I raise is for the Minister for Roads, and the action I seek is that he direct VicRoads to reassess the location of a pedestrian crossing located at the front of 30 Eaglehawk Road in Bendigo.

In a recent safety audit conducted by Traffic Works on behalf of VicRoads, the location and safety of the pedestrian crossing was addressed, but not the usage. The audit referred to this crossing as the only designated crossing point along this section of Eaglehawk Road and found that it met the needs and expectations of pedestrians. What the audit failed to note was that there is a crossing about 100 metres further down Eaglehawk Road and that this is located where the school bus stop is. Naturally pedestrians and school students are using this unsupervised crossing

rather than walking up the hill to use the dedicated crossing.

The bus stops where the heart of pedestrian activity is situated, notably in the vicinity of the Fruit Shack, the Ironbark Medical Centre and the Garden Gully sporting reserve main entry area. There are also businesses less than 100 metres away. Elderly people and families using the medical centre and schoolchildren coming in from Webster Street access the bus stop directly across the road. This road crossing is highlighted from the footpath with signal pads for blind pedestrians.

The location of the dedicated pedestrian crossing at the front of 30 Eaglehawk Road is not servicing the needs of the community, and this has been highlighted by the fact that one of the crossing supervisors will lose her job at the end of the financial year. VicRoads has informed her that her services are no longer required because of the lack of use of the crossing. This is because the schoolchildren are getting off the bus, and rather than walking the extra distance they are crossing over the two lanes of the main road at the unsupervised and non-dedicated crossing. This is why there is no need for a second crossing attendant at the dedicated crossing.

Currently the schoolchildren who do use the dedicated crossing have to dog-leg across four lanes of road only to reverse around to get to their school access pathway. The residents who live at 28 to 32 Eaglehawk Road have been concerned about the location of the pedestrian crossing since they realised it was going to be put there. Now that the works have been completed it is becoming more apparent that there is a real danger that any of those residents, two of whom are quite elderly, could reverse their vehicles over a pedestrian or have their vehicles rear-ended by oncoming traffic.

Relocating the pedestrian crossing further down Eaglehawk Road would allow the majority of pedestrians who congregate at the Ironbark business area a safer and more practical crossing point. Relocating the pedestrian crossing appears to be a very practical and sensible solution to all these issues. While moving a pedestrian crossing after it has been installed may be an expense for VicRoads, it will be less expensive than the loss of life of a child or an elderly person. The relocation of the crossing would eliminate the safety risks and near-miss incidents that currently occur at the dedicated crossing. I urge the minister to take this matter seriously and direct VicRoads to reassess the location of this pedestrian crossing.

Patterson River: access tracks

Mrs BAUER (Carrum) — I raise a matter for the attention of the Minister for Water. The action I seek is for the minister to investigate the safety of access paths and walking tracks from side streets to the Patterson River. Residents and the Carrum-Patterson Lakes village committee have contacted Kingston City Council, Melbourne Water, Parks Victoria and the Department of Sustainability and Environment with their safety concerns over the years.

The walking tracks at the end of the side streets referred to are from McLeod Road to south of the Patterson River in Carrum and include Valetta, Tennyson, Westley and Dahmen streets and True and Riversdale avenues. River access from the six streets was constructed by Parks Victoria many years ago and consists of basically timber and gravel steps. Some access paths have treated pine handrails, which have not been maintained in any way over the past 12 years. All the tracks are in a state of disrepair and are often referred to by locals as goat tracks. In wet weather these tracks become muddy and water runs from the levee, covering the footpaths below with slippery, muddy water. This is a danger to those using the footpath, especially mothers with children, the elderly and people with a disability. It is not uncommon to see mothers trying to navigate the steep tracks with prams or assisting children on bikes. There are three retirement villages nearby with residents who wish to enjoy a leisurely stroll along the river, and they are also finding it difficult to use these access paths. Able-bodied people can gain access to the river by using these tracks but with a risk of serious injury.

The former Labor government allowed these tracks to deteriorate for a decade without any attempt to make them safe for the public to use. Members of the Carrum-Patterson Lakes village committee are dedicated volunteers giving freely of their time to raise issues of concern in the local community, and they do a terrific job. They have raised this issue many times over the years. They have recently visited my office to raise similar issues. They form part of an advisory committee to the City of Kingston and offer feedback to council on the implementation of council policies and programs. They make recommendations regarding the provision of monetary grants to local groups and organisations and identify local issues of concern. As I mentioned, this issue has been an ongoing concern for them for well over a decade.

I request that the minister conduct an investigation into which body is responsible for the upgrade and maintenance of these 'goat tracks', following confusion

about which authority is responsible, and that he provide advice about possible upgrades to improve safety.

Responses

Mr RYAN (Minister for Police and Emergency Services) — The member for Benalla raised with me issues in relation to funding support for the art gallery at Bright. As members would know, Bright is a magnificent town located in the upper reaches of the Ovens Valley. I listened keenly to the matters advanced by the member in support of the proposition put to me. I was particularly interested in the commentary about the work undertaken by both Ian Cheyne and Brian Kelly and other members of the community who have fought so long and hard to achieve what they see — not only in their own right but for the community generally — as being something which would be an addition to what is already a wonderful asset for this beautiful town.

In the background material that has come to me I see that the gallery is open now for about 45 weeks in the year. There are about 170 visitors per week who attend the gallery. It is estimated that if work of the nature which is proposed can be undertaken, that visitor rate will be lifted to about 280 users per week. Again relying on the various aspects of what the member has put to the house tonight, it is quite apparent that if this facility is able to have the work undertaken in the manner which the member for Benalla contemplates, then it will be a significant benefit for the township and for people at large in the region, particularly those associated with the arts community.

That being so, I am pleased to be able to tell the member that the total cost of the project, as I understand it, is \$452 000, and the coalition government will be contributing \$300 000 towards that. This money will be drawn from our \$1 billion Regional Growth Fund, and it will come from the Putting Locals First program. It is another instance of where we are able to inject money into our regional communities. Indeed at last count there were something in excess of 500 individual programs running through different parts of the 49 municipalities in the regions that are able to access that fund.

I am delighted to be able to make this announcement tonight. I thank the member for raising the issue with me, and I thank particularly those members of the community in and around Bright who have worked so hard to see this achieved.

Ms ASHER (Minister for Tourism and Major Events) — The member for Bayswater, who is also the very hardworking and effective Parliamentary Secretary to the Premier and Assisting the Premier with the Arts, has a passionate desire to improve circumstances here and is doing an outstanding job. She spoke about the Australasian World Music Expo and requested funding for marketing of the 2012 expo, which will be held from 15 to 18 November. As well as the public music component, the expo will also host a range of networking sessions and workshops for business development opportunities. These include export, touring and management-related opportunities. There will be a whole heap of workshops attended by international record label and media representatives, festival organisers and talent agents.

I am delighted to inform the member for Bayswater that the coalition government will provide \$30 000 through Tourism Victoria's events program to support the tourism marketing of the expo. I am happy to advise her that the funding will be used for advertising in national and international newspapers, magazines and street press; local and interstate radio advertising; and online media campaigns. As the member for Bayswater relayed to the house, last year's expo attracted an audience of 8500 people and this year we are expecting the number of industry delegates to reach 500, up from 450 in 2011.

The member for Bayswater has approached this matter as one would expect, given her passion, from the arts perspective. She knows, as she said in her concluding remarks, that cultural events are a very important part of the events fabric of this state. I am delighted to announce this funding, because this event in particular provides a boost to the accommodation sector at a time when hotel room occupancy is not at full capacity. This funding will ensure that the economic benefits can be directed to the hospitality industry as well to those who are attending the event.

Mr WALSH (Minister for Water) — The member for Forest Hill raised the issue of the importance of water conservation. He spoke of the many people in his electorate who have been very diligent over the dry years and remain so even now that we have had more rain in how they have managed the water resources out in the Forest Hill electorate and the fact that they have made sacrifices in their lives and in their gardens to make sure that they are frugal in using water. He would like me to visit his electorate and meet with constituents of his to update them on various water-related issues, including the Baillieu government's Living Melbourne, Living Victoria strategy and how they can be involved in water conservation in the future.

The member also raised the issue of the desalination plant and how it will cost Melbourne Water users nearly \$2 million per day for the next 27 year to pay the Holding charge on the desal plant once it is up and functioning. There has been a lot of commentary about the desal plant in the past few days. There have been some issues around money that was recovered to pay for the desal plant. As has been said in this place and other forums, the desal plant is now behind time, as we know.

There has also been some commentary from those on the other side of the house on the issue of dividends that are paid out of that money. Can I make it very clear that, while there will be payment of dividends, the government will not receive any additional income.

Mr Helper — On a point of order, Acting Speaker, it is clear in the standing orders that only one matter can be raised by a member during an adjournment debate. The minister is responding to two matters, and he clearly identified those two matters, so I ask you to identify which matter the minister wishes to address and seek that he address only one matter.

The ACTING SPEAKER (Mr Nardella) — Order! There is no point of order, because the member for Forest Hill raised the matter of a visit to his residents in Forest Hill and included matters to do with the desalination plant and other issues. The minister is responding to that matter, so I ask him to continue.

Mr WALSH — Thank you very much, Acting Speaker, for a sensible ruling on that point of order.

I want to make it clear that, while dividends will be paid, the government will not receive any additional income from dividends, because all the overpayments will be returned to water customers. The dividends payable for 2011–12 will not be determined until later in the year when Melbourne Water's full operating results are known.

The member for Carrum raised the issue of walking tracks and access from side streets to the Patterson River. I have had the opportunity to visit that area with the member for Carrum, and I am very happy to take on board the issue she has raised about who is responsible for the maintenance of these tracks. During her contribution she raised the fact that for over a decade the former Labor government allowed these tracks to deteriorate without any attempt to make them safe for public use. I suppose this reinforces the view of many that there were 11 long, dark years of Labor when these sorts of issues happened over time and that things have fallen into disrepair and there has been a lack of

maintenance while this state had a Labor government. I will certainly investigate these issues on behalf of the member for Carrum and get back to her.

The third issue — an extremely concerning issue — was raised by the member for Mildura. The fact is that on behalf of the Labor Party its Mildura branch president, Ali Cupper, announced that that Labor Party branch would be supporting the Murray-Darling Basin plan in its current form and that it was the only way of restoring health to the river. The member for Mildura said he was flabbergasted when he heard this. How could the Labor Party be so out of touch with the needs of the community, and how could it think this would lead to a good outcome for the Mildura or Robinvale communities in the long term?

Members of the Labor Party's Mildura branch are certainly out of touch. I refer to the comments made by the federal Labor water minister, Tony Burke, at his press conference when the draft plan was released on 28 May. He said:

I want to make clear that I think what has been released today is better than the documents that have come out previously.

We are not yet at a point where I believe we've got documents in front of us that I'd be happy to sign off on.

The Labor Party branch in Mildura is out there saying, 'We support taking 2750 gigalitres away from country communities', and the federal Labor Party minister is saying, 'This plan is not ready yet to be tabled in the Parliament', so how out of touch can the Labor Party in Mildura be?

If you read the article in the *Sunraysia Daily* in which Ms Cupper is quoted, you will see that it says:

Ms Cupper said the Mildura and District ALP Branch had 'agonised' over this week's vote before deciding to support the Murray-Darling Basin Authority's controversial proposal to reduce irrigation's share of the basin's water resource by 2750 gigalitres.

...

'Our branch will be lobbying exceptionally hard for this.'

I think it is an absolute disgrace that the Labor Party branch in Mildura would be lobbying to take water away from its community, particularly when the federal Labor minister does not believe the plan is yet in a sufficient state to be tabled in the commonwealth Parliament. I urge the Leader of the Opposition in Victoria to stand up for Victoria, pull Ali Cupper and the Mildura branch into line and explain to them that this is wrong. If he does not do that, by default he is supporting their position and selling out all Victorians.

Mr DIXON (Minister for Education) — The member for Thomastown raised an issue for my attention about the Lalor Gardens Primary School and the need for some more funds to complete building works that have been undertaken at that school.

My understanding is that two schools have merged on the site. Construction costs were largely met by the federal government's BER (Building the Education Revolution) funding. The member made some assertions about saving measures that should offset any further contribution by the state government. One of those measures was the sale of the school land site that has been left unoccupied. That could take some time. I am not even aware of the land being declared to be in excess for our purposes at this stage, so there is no immediate return and may never be a return in relation to that land if it continues to be used for educational purposes.

I think the global budget savings have been completely overstated as well. Even when two schools merge, the SRP, or the student resource package — whether it is the basic package or a needs-based component on top of that; I imagine there would still be some component — actually follows those children no matter where they go. There is not a lot of saving in the actual running costs when schools are merged and then one is closed down. It is not in the millions; it is only in the thousands. That sort of saving is not there, and it is not an immediate saving for us that we can put into capital funding.

The capital costs of \$7.5 million have been met by the federal government. That sum is a bit more than what is usually used in relation to two schools. That sum of money was put together and was welcomed. We have a litany of school BER projects, and because of the management of those projects we have had incredible cost overruns. Schools have been left with projects that are different to what was set out; they are projects that schools did not agree to. That has been felt in relation to cuts to resources for fitting out the inside of new buildings, landscaping, joinery, demolition and the restoration of playgrounds — a whole range of issues. A whole range of cuts had to be made to original projects because of mismanagement and cost overruns. I am afraid that Lalor Gardens Primary School has been caught up in that as well.

I know we have been negotiating and talking to the school community about this. My understanding is that an agreement was made in good faith — and I will confirm this — that we would contribute \$80 000 from state funds to make up the shortfall in BER funding and the school council would undertake the landscaping.

Obviously school representatives are now saying they still require \$200 000. I will go to the department and investigate that.

There are lots of schools — as I said, dozens and dozens of schools — at any one time that have BER cost overruns and need more money to finish projects. We just have not been able to do it because we are not in a budgetary situation to do that. I will investigate that issue and see whether my understanding is correct and if there is any more that can be done.

The member for Bellarine raised an issue, and she talked about the history of it. The issue has been raised before and responded to in a letter. The issue relates to ongoing reviews we do of all conveyance allowance situations at schools. They are audited. The reason we audit them is to ensure that any changes that have been made in transport provisions are reflected in those who collect the conveyance allowance ensuring that eligible students collect the allowance. There is a great need for the conveyance allowance; there is a great draw on it. We have to make sure that the money we put into the conveyance allowance is given to those who are eligible.

Nothing is black and white in relation to this issue. There are grey areas, and one of them is the provision of public transport; that can weigh on the decisions made regarding the conveyance allowance. If there is not a common-sense public transport service — there may have been public transport there, but it may not have been a realistic service that would meet the needs of the families concerned — then we make exceptions. The member is asking for a review of that decision. I will certainly follow that up and get back to her about that.

Mr KOTSIRAS (Minister for Multicultural Affairs and Citizenship) — The member for Bendigo West raised a matter for the attention of the Minister for Roads. The action she seeks is for the minister to request that VicRoads relocate a pedestrian crossing in her electorate. I will refer that matter to the minister for his attention.

The member for Narre Warren South raised a matter for the attention of the Minister for Health. The action she seeks is for the minister to intervene to assist a constituent to secure hip and knee replacements. I will refer that matter to the minister for his relevant response.

The member for Ripon, assuming the member for Ripon is still the member for Ripon in a few weeks time, raised a matter for the attention of the Premier.

The action he seeks is for the Premier to visit Ararat to speak to his local community. I will refer that matter to the Premier for his attention and direct response.

The ACTING SPEAKER (Mr Nardella) — Order! The house is now adjourned.

House adjourned 10.46 p.m.