

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Wednesday, 8 February 2012

(Extract from book 1)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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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.

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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.

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

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-SEVENTH PARLIAMENT — FIRST SESSION

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Knight, Ms Sharon Patricia	Ballarat West	ALP	Wreford, Ms Lorraine Joan	Mordialloc	LP
Kotsiras, Mr Nicholas	Bulleen	LP	Wynne, Mr Richard William	Richmond	ALP
Languiller, Mr Telmo Ramon	Derrimut	ALP			

¹ Resigned 21 December 2010

² Resigned 27 January 2012

³ Elected 19 February 2011

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Wednesday, 8 February 2012

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

NOTICES OF MOTION

Mr Wynne — On a point of order, Speaker, yesterday, as you know, during notices of motion I raised with you the question of the notice of motion that was given by the member for Benalla in which he made reference to the former Deputy Leader of the Labor Party, who was the member for Niddrie, making a most unfortunate reference to Captain Schettino of the *Costa Concordia* — —

The SPEAKER — Order! The notice of motion was put forward yesterday. After discussions with me, the clerks and the member for Benalla, that notice was withdrawn. The member's reference to it now is only highlighting some of the things that were said to which the member took offence. The notice has been withdrawn, it is not shown on the notice paper in any way and the member is probably better off to let it drop.

Mr Wynne — With respect, Speaker, on a point of clarification, how would we know that if this matter had not been brought to our attention?

The SPEAKER — Order! The motion is not on the notice paper.

Mr Andrews — On a further point of order, Speaker, if you have determined — —

Mr Foley interjected.

The SPEAKER — Order! If the member for Albert Park wants to start in that way, he will be out.

Mr Andrews — Speaker, if you have determined that that matter — —

Mr Foley interjected.

The SPEAKER — Order! The member for Albert Park is warned.

Mr Andrews — Speaker, if you have determined that that notice ought to be withdrawn, then I put it to you and all honourable members that the only honourable thing for the member for Benalla to do is to seek the call, get up on his feet and withdraw in the open instead of behind closed doors.

Dr Napthine — On the point of order, Speaker, I think you have handled this issue in a very appropriate

manner. You have determined that the notice of motion was inappropriate, you have consulted with the clerks, you have consulted with the member concerned and the notice of motion has been withdrawn. It has been handled very appropriately, and I commend you for that, Speaker. That should be the end of the matter. It is only the members who want to play frivolous politics with this issue who want to pursue it.

Notices of motion given.

BUSINESS OF THE HOUSE**Notices of motion: removal**

The SPEAKER — Order! Notices of motion 3 to 12 will be removed from the notice paper unless members wishing their notices to remain advise the Clerk in writing before 6.00 p.m. today.

PETITIONS**Following petitions presented to house:****Victorian certificate of applied learning: funding**

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 axing of \$48 million funding for the Victorian certificate of applied learning program.

In particular, we note:

1. VCAL provides an important learning alternative to the VCE for students across Victoria;
2. secondary schools stand to lose up to \$125 000 in funding per school, which will impact heavily on teachers expected to deliver the support and services despite having inadequate time and resources to do so;
3. funding has been axed despite strong objections from principals, teachers, parents and students across Victoria.

The petitioners therefore request that the Baillieu government immediately reverse its decision and restore funding to this vital program as a matter of urgency.

By Mr FOLEY (Albert Park) (147 signatures) and Mr WYNNE (Richmond) (328 signatures).

Israel: Melbourne protests

To the Legislative Assembly of Victoria:

The petition of the residents of Victoria draws to the attention of the house the recent anti-Israel boycott, divestment and

sanctions (BDS) protests on the streets of Melbourne and the strong response of the Baillieu government.

The petitioners therefore request that the Legislative Assembly of Victoria continues to support all efforts and actions to stop these protesters and their campaign of misinformation against the state of Israel and the Jewish community.

By Mr SOUTHWICK (Caulfield) (742 signatures).

Tabled.

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

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

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Review of Auditor-General's report on access to public hospitals

Mr MORRIS (Mornington) presented report, together with transcripts of evidence.

Tabled.

Ordered that report be printed.

DOCUMENTS

Tabled by Clerk:

Auditor-General — State Trustees Limited: Management of represented persons — Ordered to be printed

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 139/2011.

ROAD SAFETY COMMITTEE

Reporting date

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

That the resolution of the house of 10 February 2011 be amended to extend the reporting date for the Road Safety Committee's inquiry into motorcycle safety to no later than 13 December 2012.

Motion agreed to.

MEMBERS STATEMENTS

Employment: regional and rural Victoria

Mrs POWELL (Minister for Local Government) — I am really proud to be part of the Baillieu-Ryan coalition government, a government that is creating jobs in country Victoria. On Tuesday, 24 January, the Minister for Corrections came to the Shepparton district to announce the creation of 80 new jobs in the region with the 54-bed expansion of Dhurringile Prison. This is due to a \$17 million investment by the Victorian coalition government. Seventy jobs will be created in the construction phase, and another 12 permanent positions will become available when the facility is operating.

This is a great boost to the local economy, as local suppliers are used by the prison wherever possible. But there is more good news, with more funding for the construction of a new visitors centre and a management unit for those prisoners who require more secure accommodation. That will be commencing in stages next year.

Members of the local community are also delighted that there will be more local jobs and a great boost to the local economy when work begins on a new police station in Mooropna next month. There will be jobs for local builders and retailers in supplying the fit-out for the new buildings and again they will be sourced locally.

For many years I lobbied for the former Labor government to replace or upgrade the 50-year-old police station in Mooropna; it refused. I am delighted the coalition government listened and not only provided the funds to replace it but provided 11 more police officers for Mooropna and Shepparton.

The coalition government is providing more jobs to country Victoria and boosting the local economy through its building program, through its budget and through the Regional Growth Fund.

Narre Warren South P-12 College: student achievements

Ms GRALEY (Narre Warren South) — Congratulations to the staff and students at Narre Warren South P-12 College on their outstanding VCE (Victorian certificate of education) and VCAL (Victorian certificate of applied learning) results. Narre Warren South achieved a median score of 31, which made it the 36th highest performing government school

in the VCE. Narre Warren South topped the state in VCAL, with a 100 per cent pass rate.

These fantastic results are at least in part due to the hard work and dedication of the staff and teachers at the college. Teachers are most ably led by principal Rob Casamento and his enthusiastic deputy principals, Rob Duncan, Stephen Mahoney, Jenni Johnson, Paula Johnston and Mande Strickland, who all go the extra yard for every student. They are driven by a determination to ensure that their students have all the opportunities to excel, regardless of their cultural or economic demographic.

Student Amy McMahon will be the first person in her family to go to university. Her dad brags that she is so smart — and she is.

The level of dedication of the staff and teachers at Narre Warren South is best summed up by Yousuf Karimi. He said:

When I finished here I said, ‘Thank God I studied at this school!’. This is a school I love. They helped us a lot, especially students from Afghanistan. Always when you asked for help they gave it to you.

Narre Warren South has won 10 major VCAL awards in the past five years. Unlike the terrific people at Narre Warren South, the Baillieu government is run by people who do not understand the value of public education. It is very important that the Minister for Education give our schools back their VCAL funding and again allow all young people every opportunity to gain a quality education. That would be the smart thing to do.

South Barwon electorate: election commitments

Mr KATOS (South Barwon) — I am pleased that election commitments made to the Grovedale football club and the Barwon Rowing Club of \$200 000 and \$250 000 respectively have been fulfilled. This has given both clubs an expanded facility to cater for a growing membership and a growing population. Work is about to commence at the South Barwon Football Club, the Barwon Soccer Club and the Highton Tennis Club as a result of the government fulfilling more election commitments. I am extremely proud to support these grassroots local clubs that for 11 years were neglected by the previous Labor government despite numerous representations asking for support.

Bupa Barrabool garden area and men’s shed

Mr KATOS — On Wednesday, 25 January, I was delighted to officially open the Bupa Barrabool garden area and men’s shed. It is a great facility for residents of

the South Barwon community. It provides a wonderful space for people who reside there to gather, contemplate and tend to the garden, which all contributes to the wellbeing of those residents. Congratulations to Bupa Care Services Barrabool and the volunteers on this very special and worthy project.

Festival of Sails

Mr KATOS — On Sunday, 19 January, I was honoured to present trophies to 15 class winners as part of the 2012 Festival of Sails. Congratulations to the event host, the Geelong Yacht Club, which for over a century has provided an elite sporting event that has something for everyone. The great support of the event highlights the growing reputation of Port Phillip Bay as an outstanding sailing venue. I commend the Royal Geelong Yacht Club, the City of Greater Geelong, the City of Melbourne, sponsors, the Royal Yacht Club of Victoria at Williamstown, and everyone else in Victoria who was involved in putting on this great event.

Geelong Summer Music Camp

Mr TREZISE (Geelong) — On 19 January I had the absolute pleasure of attending the Geelong Summer Music Camp showcase concert, which was held at Costa Hall, Geelong. This was the 32nd such concert and the 12th to be held at Costa Hall. The concert, as the name indicates, showcased the talent of the approximately 240 students, ranging in age from 9 to 21, who attended the summer music camp held at Geelong College from 14 to 19 January. This year students came not only from all over Victoria but also from New South Wales and New Zealand. The camp provides students who attend with tutorials in their selected musical instrument and a rehearsal opportunity for the concert finale. The concert was a great, entertaining night, with students highlighting their skills under the guidance of conductors John Shawcross, Sue Arney, Cathy Blake, Edward Fairlie, Paul Jarman and Naomi Wileman. A wonderful night at the concert was topped off by a truly uplifting rendition of Shosholoza — a traditional Zulu song.

Paul Jarman’s enthusiasm for music and song was quite evident, and it was also quite evident that this enthusiasm had rubbed off on all of the 240 students who belted out with gusto a great finale for the night. I take this opportunity to congratulate the 40 tutors who took part in the camp. I also congratulate the committee, including president Daniel Zampatti, secretary Michael Wilding, treasurer Glenda Wilding and committee members Fiona Gardner, Leanne McCartney, Trish Kinrade, Yvette Jenner, Lesley Walters, David Gardner, Kate Zampatti, David

Gallaher, Helen Bourke and Ben Castle, for their ongoing efforts in running the camp.

Israel: Melbourne protests

Mr SOUTHWICK (Caulfield) — Anti-Semitism and anti-Israel rhetoric are not new concepts. The hatred directed against Jews by Hitler's regime defined racism and evil in the 20th century. I am concerned by recent developments in Melbourne which suggest a lack of understanding of what happened historically the last time Jewish businesses were targeted by angry protesters. The boycott, divestment and sanctions (BDS) protest against Israel, including one scheduled for this Friday, and recent reports of a Nazi flag flying in suburban Melbourne, are deeply troubling and deserve a strong response. The BDS movement is racist and anti-Semitic, as it targets businesses because of their connections to Israel and the Jewish community, and it must be stopped.

I have today tabled a petition bearing almost 750 names, which calls on the government to continue its great work in cracking down on these protesters. I also acknowledge the presence in the gallery today of Nina Bassat from the Jewish Community Council of Victoria and Sharene Hambur from the Zionists Council of Victoria, two organisations that have been tireless in their fight on this issue. I am concerned by these protesters, as I am about the recent reports of the flag maker in Carrum, Robert Boot, who nonchalantly displayed a Nazi flag in his backyard as a means of advertising his business. This man was rightly condemned for seeking to profit from pain and anguish in a city such as Melbourne, which has the largest number of Holocaust survivors per capita outside Israel. We must continue to fight against these anti-Israel protests, and I encourage all Victorians to sign this petition and show that these protesters' hatred and lies have no place in our great state.

Israel: Melbourne protests

Ms THOMSON (Footscray) — I rise in relation to the boycott, divestment and sanctions rally on Friday and to indicate that its supporters are a very small minority of the Victorian population, the vast majority of which supports the state of Israel. More importantly, the majority supports a peace process for two nations in secure boundaries where people can be safe determined through a negotiated peace. Is this movement really about peace for the Palestinian people and peace for the Israeli people? No, it is not.

The reason I say that is if we have a look at the businesses that are being targeted, we see they are

chocolate companies, they are cosmetic companies and they are retailers. What have these companies got to do with the Middle East? They have Jews running them or owning them. This is not a demonstration of how you look after Palestinian interests, if that is your motive. In fact what we are seeing is the vast majority in this house, in this Parliament and in the federal Parliament and other parliaments around the country speaking out against this protest.

I am very proud to have been a part of a government that established the VISTECH Fund to promote cooperation between Israeli companies and Victorian companies in research and development — water projects run jointly in Israel and Victoria and biotechnology research — and also entered into the memorandum of understanding that was established with the Technion institute in 2006.

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

Kerrie neighbourhood house, Glen Waverley

Mr GIDLEY (Mount Waverley) — On Tuesday, 13 December, Kerrie neighbourhood house hosted its annual end of year Christmas period lunch. It was great to be able to enjoy some lunch, a slice of homemade cake and a cup of tea with many residents who contributed to the success of the house throughout 2011. As I chatted with residents about their experiences of the year, it was again clear to me the important role that Kerrie neighbourhood house plays in providing residents with an opportunity to meet, interact and undertake structured activities. I also had the pleasure of recognising Lois Vincent's tireless efforts and constant support of Kerrie neighbourhood house. The occasion was a good opportunity to catch up with staff members and also mention the coalition government's Creating Modernised and Inclusive Neighbourhood Houses grants program.

Bestchance: ministerial visit

Mr GIDLEY — Bestchance is an important not-for-profit community organisation located in Glen Waverley which provides universal specialist, educational and family services. Recently the Minister for Children and Early Childhood Development, Minister Lovell, and I had the opportunity to visit bestchance to gain a better understanding of its facilities and services. We were most appreciative of the time new CEO Kevin Feeney, general manager of programs Chris Thomson, executive assistant Jen Hardman and other staff and board members spent with the minister and me.

Minister Lovell's visit to bestchance also highlighted the coalition government's record \$26 million investment in capital grants for kindergarten and early childhood education. These grants opened in November and will close shortly. They build on the coalition government's successful \$3.4 million community-based kindergartens grants program, which provides 1359 community-based kindergartens with \$2500 grants.

Australia Day: City of Yarra

Mr WYNNE (Richmond) — I rise to acknowledge six citizens of my electorate who were honoured in the Australia Day awards for distinguished service to the community and three outstanding individuals who were honoured in the 2012 City of Yarra Australia Day awards. Caroline Hogg, a former member of this Parliament and a resident of Clifton Hill, was made an Officer of the Order of Australia for services to this place, particularly in the areas of multiculturalism, health, education, arts, rural affairs and also mental health. Associate Professor Renate Howe, a long-time North Fitzroy resident, was made a Member of the Order of Australia (AM) for services to the arts and higher education. Also receiving an AM were Professor Peter McPhee of Abbotsford and Ian Renard of North Fitzroy, and Colin Benjamin of North Fitzroy received a Medal of the Order of Australia. Professor McPhee received the award for services to tertiary service administration and the discipline of history, Mr Renard for services to the tertiary education sector and Mr Benjamin for services to the community through social welfare organisations such as the iconic Life. Be in it organisation. Mr Alan Rhodes of Richmond received an Australian Fire Service Medal for services to the Country Fire Authority.

Bich Ha was named the City of Yarra Woman of the Year. Bich has made a 25-year commitment to North Yarra Community Health and of course to the broader community of my electorate. Other residents to receive awards were a young African gentleman, Makot Wol, as Yarra Young Citizen of the Year. Glenda Lindsay was named Citizen of the Year for Yarra for her magnificent work with cultivating communities.

Midsumma Festival

Mr NEWTON-BROWN (Pahran) — In mid-January the Minister for Tourism and Major Events opened the Midsumma Festival in Birrarung Marr. It was a great day with a massive turnout of the gay, lesbian, bisexual, transgender and intersex community. This event has grown into one of the big festivals on the Melbourne calendar of events, and it

was fantastic that the minister for tourism was able to announce financial support for the festival on the day. It is a festival which is a local event as well as being an event which draws people in from across the state and Australia-wide. I was pleased that during the course of the day many Liberals dropped in to my stall, including upper house members Georgie Crozier from the Southern Metropolitan Region and the Minister for Planning.

Pride March Victoria

Mr NEWTON-BROWN — Last weekend was the Pride March, and congratulations go to Brett Hayhoe on another fantastic day, despite the wild weather. A big thankyou to the many Liberals who supported the Prahran electorate on the day, including the Minister for Mental Health and former senator Judith Troeth.

Road safety: Road User or Abuser campaign

Mr NEWTON-BROWN — The Road User or Abuser campaign, launched by the Minister for Roads this week, was an announcement that was very well received by the thousands of cyclists in Prahran who commute to work. This campaign aims to encourage better sharing of our roads by motorists and cyclists, promoting the rules that exist to ensure that everyone can use our roads safely no matter what mode of transport they choose. The aim is to promote a culture of respect and harmony between the various users of our roads and to reduce the number of casualties and fatalities.

Jam Factory: heritage protection

Mr NEWTON-BROWN — The red brick chimney at the Jam Factory in Chapel Street is one of the few tangible reminders of the working-class origins of Prahran. As our historic inner city areas are rejuvenated it is important that our heritage is not lost in the process. I call on the Minister for Planning to review what measures may be appropriate to protect this local icon.

Rail: Beaufort station

Mr HELPER (Ripon) — I want to use this opportunity to draw attention to the neglect by this government of the Beaufort railway station. This intrinsically beautiful station is on the Ararat line. I mention this well-known fact for those in the Liberal-Nationals government incapable of imagining that there is anything beyond the tram tracks.

Beaufort has gone ahead in leaps and bounds as the benefits of the return of passenger rail manifest themselves in this great little town. However, the

station, which has become the entrance to Beaufort for many locals and visitors alike, needs work. Such a beautiful link between the past — the station predates Federation — and the present needs restoration. Under the Bracks and Brumby governments, passenger rail experienced a renaissance in this state. I well remember the crowds of the small town of Beaufort that gathered on the platform to celebrate the return of passenger rail.

The previous government invested in the restoration of the signal box and very much so in the return of passenger rail to the town. The station must be seen as a community asset in which this government should invest taxpayer dollars, because I have no doubt that such an investment would bring good returns. During the last election campaign and since, the current government has been attempting to portray itself as a supporter of country passenger rail services. Whilst this shameful lie is offensive to many, I wish to exploit it for the benefit of my electorate.

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

Supermarkets: fruit and vegetable prices

Mr CRISP (Mildura) — The latest move by major supermarkets to reduce the price of fruit and vegetables has caused concern in my electorate. I believe it is incumbent on the two major supermarket chains to show that slashing prices will not affect farmers. Farmers have expressed concern that the two major supermarket chains can create a surplus by manipulating their purchasing power. Supply and demand can be easily unbalanced, thus creating a surplus in the market. Those who have contacted me are smaller growers who are genuinely frightened by this development. They feel highly vulnerable, as they are the many selling to the few. I commend the president of the Victorian Farmers Federation, Andrew Broad, for his call for ethical purchasing policies by the major supermarkets.

Horticulture is strong in Mildura, and the Mildura electorate is Victoria's major producer of citrus and table grapes, both of which come under the fresh fruit banner. A small grower of table grapes has already reported to my office the possible impact on his livelihood. He has already felt pressure to lower the price per box of his table grapes to help one supermarket match its competitors. Once the spiral starts, we all know it will end in disaster.

Over the years the horticultural industry in Mildura has dealt a lot with the Australian Competition and Consumer Commission, which certainly does not

appear to be interested in assisting farmers. It focuses on consumers, and lower prices are good for consumers. That is how its brain is set, and it is not interested in the long term. Industry leaders feel they need to have a meaningful discussion. I call on affected growers to contact their local federal coalition member, who will support a review of these matters.

Floods: Eltham electorate

Mr HERBERT (Eltham) — As members will be aware, Eltham was one of the worst hit areas during the storms that lashed Melbourne on Christmas Day last year. The storms caused millions of dollars worth of damage to infrastructure, buildings and cars around Melbourne and caused hundreds of workers, many of whom were volunteers, to take time out from Christmas celebrations with their families to help others in need.

In Eltham many family homes were devastated and cars badly damaged. The storms caused parts of the Hurstbridge railway line to be badly destabilised, and the Eltham Retirement Centre was hit by floodwaters up to a metre deep, requiring 30 elderly residents to be evacuated.

I take this opportunity to thank the dedicated members of the Eltham, Research and Plenty Country Fire Authority brigades and the Eltham State Emergency Service for their outstanding support for those in the Eltham community who were devastated by those floods. Their efforts kept residents safe during these extraordinary conditions and led to the speedy clean-up and resumption of business as usual in the Eltham area. I also acknowledge Norman Gray from the Department of Transport, who was of assistance in ensuring that the rail clean-up was efficient, prompt and helpful to the elderly residents of the retirement village.

I also wish to personally make the Parliament aware of two local residents who risked their own safety to come to the rescue of those in trouble. I would like to thank Glenn Watts, who rescued two local residents who could not swim and were trapped clinging to a tree, and Gerard Vanderlinden, who rescued two residents trapped in their car. These incidents are wonderful examples of people in a tight-knit community coming to the aid of those in need. Members of that community make me proud to represent the Eltham area, and I thank them wholeheartedly for their efforts.

Melbourne: festivals

Mrs VICTORIA (Bayswater) — What a fantastic summer it has been here in Melbourne! The arts and multiculturalism have again shown the world why

Melbourne is the most livable city. From Chinese New Year to the inaugural Piers Festival — celebrating all those, like my dad, who came to this great country by ship — to the Anatolian festival at Federation Square and the Celtic Ceilidh performance put on by Multicultural Arts Victoria at the Sidney Myer Music Bowl on Australia Day, Melburnians and visitors have seen the best of the best. I congratulate all who put their hearts and souls into creating so much fun for us all to enjoy.

Manufacturing: Veyance Technologies

Mrs VICTORIA — Veyance Technologies is the largest manufacturer of conveyor belts worldwide. Supplying predominantly the mining sector, it employs 171 people at its Bayswater site and believes that training its staff well to ensure professionalism and efficiency is a key to its profitability. Under the expert guidance of David Stone, the company is looking to expand even further, creating more jobs opportunities and a secure future. I wish it well.

Melbourne: live theatre

Mrs VICTORIA — Melburnians have been spoilt for choice when it came to live theatre this summer. The Victorian Opera staged a wonderful *Cinderella* pantomime and the Australian Shakespeare Company staged *Alice in Wonderland*, *Lady Chatterley's Lover* and my absolute favourite, *A Midsummer Night's Dream — Behind the Scenes*. I believe this is still playing, and I urge all colleagues to buy tickets and have the tissues ready for the tears of laughter they will be crying. We also had the opening night of *A Chorus Line* this week, a stunningly crafted show with some of the finest Australian triple threats presenting a superb rendition of this tireless show. Congratulations to you all.

Taxis: mobility scooters

Mr HOWARD (Ballarat East) — Recently 92-year-old double amputee Bob Wright was advised by Ballarat Taxis that it could no longer transport him via taxi, as it has done for many years. This followed a recent directive from the Victorian Taxi Directorate that people who use a mobility scooter can no longer travel in a multipurpose taxi on their scooter, even if it is properly secured. Instead, they will have to transfer into a seat or wheelchair to travel.

For Bob and others like him, transferring from a scooter is not an easy thing to do, and the alternative appeared to be for Bob to travel on his scooter on the footpaths into town on his own — something that raises increased

safety concerns. I have talked with staff from Ballarat Taxis and written to the Minister for Community Services about this issue in the hope that a practical solution will be found to balance the safety issues against the need for people like Bob to be able to continue to use taxis to get out and about and get to appointments.

Thus far, attempts to assist Bob have not been very successful. Clearly more work needs to be done to find a sensible outcome that will see people like Bob able to get out and about. I urge the Minister for Community Services to again challenge staff of the Victorian Taxi Directorate to review their decision and to find ways of helping people like Bob.

Cultural diversity: Christmas celebrations

Ms RYALL (Mitcham) — As the granddaughter of refugee grandparents who fled persecution, I am deeply offended and surprised by the Labor Party inferences that I do not support our cultural diversity. What it failed to mention was that the words were in reference to a 16 December 2011 *Herald Sun* article on schools and kindergartens that were not celebrating or displaying 'Happy Christmas' but instead 'Happy Holidays'. The article referred to reasons for this, such as Christmas being excluded because it is not inclusive of other cultures or religions.

In representing the Minister for Multicultural Affairs and Citizenship on many occasions over the last 12 months, I am on the record time and again as praising our state's cultural diversity and talking about how different cultures add to the richness of our life experience and our state and country. I believe that all Victorians, irrespective of their background, enjoy our cultural traditions. We should hold onto our traditions and celebrations and promote them as part of who we are. All Victorians should take pride in and feel free to celebrate their religious traditions, including Christmas.

Multiculturalism is about not being afraid to celebrate one's cultural and religious traditions. It is disappointing that Labor has chosen to politicise this issue when there has always been bipartisan support of our approach to immigration and our great multicultural state. All Victorians can be absolutely assured that I support our government's multicultural and citizenship policy, and I hope the Labor Party stops playing politics with our cultural diversity.

Planning: urban growth boundary

Ms DUNCAN (Macedon) — A number of people in Sunbury have found their properties listed on

Department of Sustainability and Environment websites classified in such a way as to exclude 100 per cent of their properties from any potential development. These properties now fall within the urban growth boundary, and the Growth Areas Authority has recently issued draft growth corridor plans for areas around Sunbury. Members can imagine the surprise of property owners when they read, often for the first time, that their property had been assessed for its vegetation type and reclassified as regional open space and was therefore constrained land. Letters sent to owners seeking their response to this news gave them less than three weeks to do so in some cases. This is unreasonable and causes enormous angst.

None of these property owners is arguing against protecting native vegetation; in fact many of them have lived in the area for decades and have put enormous effort and resources into improving their properties by planting trees et cetera. The concern is that huge portions of their properties, or in some cases the whole property, could be excluded from any future development because someone has determined a couple of trees are so important that they almost require their own postcode.

This draft biodiversity conservation strategy is important work being done by the Department of Sustainability and Environment, but the process needs rigour, it needs to be soundly based in science and it needs to give consideration to the fact that these properties represent decades of work and should provide economic security to those people into their retirement. For them to have their properties excluded from development while all the properties around theirs are developed is potentially an abuse of process.

Australia Day: City of Kingston

Ms WREFORD (Mordialloc) — It was a privilege to attend the City of Kingston Australia Day breakfast. I wish to congratulate Thelma Mansfield, a genuine local legend, on being announced Kingston citizen of the year. I also wish to acknowledge Brian Lowe, who is the outstanding citizen of the year; Jack Styles, who is the young citizen of the year; Matt's Place, which is the community group of the year; the Kingston Youth Services Supplement youth magazine, which is the young community group of the year; Cr Ron Brownless, an Order of Australia medallist; and all the nominees.

Mordialloc Bowls Club: election commitment

Ms WREFORD — I recently had the honour of switching on the new lights at the Mordialloc Bowls

Club. This demonstrated some of the progress made in Victoria in the past year. It was also delivering on our election commitment. Symbolically, after the dark years under Labor, the lights were switched on. People were even allowed to play bowls without silly equal opportunity laws.

Planning: bulky goods outlets

Ms WREFORD — I recently attended the announcement of planning amendment VC88. I have lobbied hard on this one, and I am very pleased to see this common-sense amendment, which will afford bulky goods retailers such as PETstock, Baby Bunting, Officeworks, Beacon Lighting and many others, access to locations similar to those accessed by whitegoods retailers. The aforementioned companies now plan to open a further 50 stores in Victoria, which will generate hundreds of jobs and provide shoppers with better access to products. The coalition government is committed to improving business and job opportunities across Victoria, as demonstrated by this recent amendment.

Organ transplants: disabled patients

Ms CAMPBELL (Pascoe Vale) — Transplant teams and hospital ethics committees need to assess many medical factors when identifying patients for transplants. No patient has guarantees regarding the outcome, potential success, complications or even rejection of organ transplants. In making an ethical choice of a person to receive a transplant the reasons have to be linked to the chance of the transplant being successful. Excluding a patient as a candidate for a transplant purely on the basis that a person who has an intellectual or physical disability might not be considered a good candidate is not a reason; it is only a bias.

May Australian hospitals never put our families of children with a disability in the position of the Rivera family in Philadelphia. The three-year-old daughter in the family has allegedly been denied an opportunity for a kidney transplant because of her intellectual disability. CBN and other media have highlighted the community debate. Amelia Rivera has a rare genetic condition known as Wolf-Hirschhorn syndrome, which can cause mental impairment, seizures and kidney failure. Her parents were told by doctors at the Children's Hospital of Philadelphia that there would be no transplant. Her mother, Chrissy Rivera, was enraged and posted her version of a conversation with the doctor and a social worker on a blog. Her mother revealed the conversation:

'So you mean to tell me that as a doctor, you are not recommending the transplant, and when her kidneys fail in

six months to a year, you want me to let her die because she is mentally retarded? There is no other medical reason for her not to have this transplant other than she is mentally retarded!’

‘Yes —

said the doctor.

‘This is hard for me ...’

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

Economy: government policy

Mr WAKELING (Ferntree Gully) — The Victorian coalition government is focusing on strong economic management, generating economic activity and employment opportunities, and developing a strong public financial system which is focused on maintaining confidence, funding adequate infrastructure, keeping taxes competitive and a AAA credit rating. By contrast Labor’s economic policy in Victoria is to establish a new public holiday before grand final day with a potential cost impact on the Victorian economy of up to \$700 million.

Boronia Bowls Club and Ferntree Gully Cricket Club

Mr WAKELING — Congratulations to both the Boronia Bowls Club and the Ferntree Gully Cricket Club on recently being granted full funding for the installation of security shutters at their club premises through the community safety grants. With over 350 applications, this grants program was highly competitive.

Rowville Football Club and Rowville Cricket Club

Mr WAKELING — In late January the Treasurer and I met with the presidents of the Rowville football and cricket clubs to announce \$100 000 of funding for the Rowville recreation reserve through the Sustainable Sportsground program. This project will involve a full oval upgrade. Both growing clubs agreed that the project will provide many benefits for them.

Chinese New Year

Mr WAKELING — On Thursday, 19 January, I had the pleasure of attending the Chinese New Year celebration held at the Rowville library and hosted by the local Chinese community. It was a great celebration with much traditional Chinese singing, dancing and music. This event grows each year, and it is wonderful

to see the people of our local Chinese community celebrating their heritage.

Australia Day: City of Knox

Mr WAKELING — Congratulations to Denise Gravatt and James Philipsen, two residents in my local community, who were awarded volunteer of the year and young citizen of the year respectively at a Knox City Council awards ceremony.

Tom Boik

Mr BROOKS (Bundoora) — Over nearly 45 years the Diamond Valley Little Athletics Centre has grown into one of the state’s largest little athletics centres and has become a great place for families to come together to see their children participate in sports in a healthy and supportive environment. Volunteer-based organisations such as this stand on the contributions of people who give selflessly of their time and effort. Sadly the Diamond Valley Little Athletics Centre lost one such person with the passing of a legend of the centre, Mr Tom Boik, on Sunday, 5 February.

Over the past 40 years Tom devoted a large part of his life to the Diamond Valley Little Athletics Centre and the Willinda Park athletics facility in Greensborough. During this period he organised equipment and maintained the facilities for all little athletics competitions and midweek school competitions. Tom was also instrumental in building a strong working relationship between the athletics facilities and the then Diamond Valley City Council, now Banyule City Council, and that relationship exists to this day.

Tom became involved in little athletics when his children started competing for Montmorency Little Athletics Club at Willinda Park in 1968. The roles he held included: key long jump and triple jump official at centre, region and state level until the mid-1990s; Diamond Valley Little Athletics Centre equipment and facilities manager from 1973 to 2002; and Willinda Park committee of management caretaker — —

The SPEAKER — Order! The member’s time has expired, and the time set aside in the program for members statements has concluded.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Membership

The SPEAKER — Order! I have received the resignation of Mr John Eren from the Scrutiny of Acts and Regulations Committee effective from today.

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

That Mr Brooks be appointed a member of the Scrutiny of Acts and Regulations Committee.

Motion agreed to.

GRIEVANCES

The SPEAKER — Order! The question is:

That grievances be noted.

Government: performance

Mr ANDREWS (Leader of the Opposition) — I rise today to grieve for Victorian families, who have been spectacularly betrayed by this government and this Premier, a Premier who has become well known for two things: doing absolutely nothing or getting it completely wrong. That is the style of leadership and governance — do nothing or get it completely wrong — that the Premier, Mr Baillieu, has provided to our great state for more than 14 months.

Mr Baillieu and his colleagues talked a good game in 2010. They had a lot to say about fixing problems, building the future, investing in services, supporting Victorian communities and keeping our state strong. The talk of 2010 has not been backed up by action in 2011, and if the start to 2012 is any guide to the rest of the year, 2012 will be no different.

The other day I was listening to Jon Faine, and I heard the Premier on the Jon Faine program. Five or six times Mr Baillieu made it clear to Jon and Jon’s listeners that he was an architect. I am very happy for the Premier that he was, and perhaps still is, an architect. That is great news for him, and what a relief it is for all of us and for those people listening to the Jon Faine program! The Premier’s answer to almost every question was, ‘Well, Jon, I’m an architect’, or, ‘Can I mention again, just in case any of your listeners missed it, I’m an architect’.

Having acknowledged that fact, what I say is this: I have nothing against architects, but an architect with no

plan is no good to anyone. This Premier is the rarest of things — an architect with no plan whatsoever. He has no plan for jobs, growth or providing the key fundamental services that families right across this state turn to each and every day.

Ms Miller interjected.

Mr ANDREWS — That was another great contribution by the member for Bentleigh. We will come to the member for Bentleigh in a minute. I can hear a certain knocking sound in Bentleigh. There are a lot of red T-shirts out in Bentleigh, and they have a bit to say about their member.

An architect with no plan is no good to anyone. In recent times we have heard the Premier talk about challenges — indeed we heard it in question time yesterday. Of course our state faces challenges in these uncertain times. You would think, would you not, that in the face of those challenges real leadership would be about doing something? To that end I was looking at a wonderful document that I think is almost a year old. I do not have the glossy version. We were not going to have any more glossy versions of documents, but we had them at the time this was produced.

In a performance that made the member for Brighton look positively hyperactive, the Premier came in here not half asleep but fully asleep and read into the record the *2011 Victorian Families Statement*. What a great document that is. It was a revelation to all Victorians that the Premier cares about families. Hold the phone — what an amazing revelation that is! The most important part of this document are the words under its title, which are ‘Starting the discussion on what matters to families’. If I can be so bold, I would point out to the Premier that what matters to families is a government that works hard to keep them in work. That is what is most important to families in this state. It is central to everything: their hopes, their opportunities and their security. Again, this is a document that is pretty flimsy on jobs, but its subtitle says it all: starting the conversation on what matters to Victorian families. Jobs and a government that has a plan to secure jobs, invest in skills, grow jobs and keep us strong are what matter to Victorian families.

I have here another document. I never travel too far without a copy of this! I do not know quite how to describe it. This missal is the Treasurer’s budget speech. I left my much dog-eared copy of this at home, but I have here a replacement. It does not matter how many times I search through this document, and it does not matter at what hour of the day I search through this document — I have not yet asked my kids to look

through it, but I might as it would be a good comprehension exercise — —

Mr Holding interjected.

Mr ANDREWS — It would be child abuse, the shadow Treasurer says. But it does not matter who looks through it, at what time of day or how often, I will tell members one thing they cannot find in here — and that is a reference to jobs. There is no reference to jobs in this excuse for a plan for our state. So is it any wonder that from a man who either does nothing or gets it completely wrong or a Treasurer whose incompetence defies description or a government that is just a government in name only — because you have to govern in order to be a government — we have no plan for jobs whatsoever?

Yesterday we saw a change in tack. I think the Premier's chief of staff, Mr Nutt, has had a real impact on the Premier. What a thoroughly convincing angry Ted we had yesterday. He was all fired up about jobs as if it were the case of his saying, 'If we talk about jobs a lot in our second year in office, that will somehow cover up the fact that we have done nothing to secure jobs in our first year in office'. The Premier can get dishevelled and angry as if he were in an episode of the Hawthorn amateur players, and we can get as much of that as he and Mr Nutt deem appropriate, but none of that is a replacement for a plan to secure jobs.

It is not as if I put forward these views as someone on the sidelines. I am very proud of the record of the Labor Party in office when it comes to supporting industry and supporting jobs — that is, doing what governments need to do, which is getting in there, supporting industry and supporting Victorian jobs with Victorian taxpayers dollars.

For the benefit of the record and indeed you, Speaker, let us have a look at the Victorian industry participation policy — not just words or starting a discussion on what matters to families. These are things that happened because Labor was in power and drove them; that is why they happened. Let us have a look at this policy: since 2001, when the policy first began, 3300 projects valued at more than \$39 billion were the subject of that framework. That created some 27 200 new Victorian jobs. We had an average local content level across those projects of some 85.3 per cent, with a total import replacement of some \$765 million. That is real action — a government actually governing.

The Premier could not stomach backing the policy, so he sent it across to the Department of Treasury and

Finance so it could have a good look, and it came back with lukewarm support: 'We will just say that is great, but we will take away all the targets' — as if a strategy with no targets is going to deliver anything! The policy was good work that kept Victorians in work. The Premier would be well served if he looked at the Victorian industry participation policy and actually adopted it and then looked to improve it. That would be about making sure Victorian taxpayer dollars supported Victorian workers. What is more important than that? When it comes to this policy the Premier seems completely asleep. He has no plan.

Is it any wonder that we have a situation where some 9000 or more Victorians are out of work compared to when this Premier took office? Is it any wonder that we have a situation in just one month where we have lost 2000 full-time jobs while the rest of the country added 26 400 full-time jobs? With a complete absence of leadership, an abrogation of responsibility and a betrayal of trust, is it any wonder that we have had a situation where the better part of 20 000 Victorians gave up the search for work? I could go on to talk at some length about underemployment and the fact that there are many Victorians who, if they could work more hours to provide more fully for their family, would do that. All the while the Premier continues to talk a good game but does nothing. He stands in the centre of the field like a stone statue doing nothing to support Victorian families. That is the 'do nothing' side of things.

I grieve for families on the basis that if this Premier does happen to do something — which happens rarely — it is almost always completely the wrong thing to do. In health cuts we have seen some 1500 hospital beds closed while more and more Victorians wait longer and longer for health services that this joker had us believe were going to be fixed. He was going to fix the health system. The Liberal Party and The Nationals in opposition sought to turn health policy into a debate about one thing and one thing only — that is, bed numbers. That has come back to bite them now, because it would seem that while the Minister for Health and the Premier can regale the Victorian media daily, if not hourly, on how many beds were closed due to industrial action, they cannot tell us where the 100 new beds they claim to have funded in the — —

Mr Gidley — The Monash Children's.

Mr ANDREWS — We will come to the Monash Children's in just a moment. It is often better to remain silent and be thought a fool than to open one's mouth and remove all doubt! That would be my advice to the

member for Mount Waverley. We will come to the Monash Children's. That is the second time I have used that line on him, and he should keep it coming! If he can tell us which beds are closed when it suits the government's political purposes, then the government ought to be able to tell us where those 100 new beds are, when they opened and how many patients have been treated in them. The government will not do that, because everyone knows what the game is here: close the beds today, leave them closed for a period of time, hope everyone forgets and then reopen them and claim them to be new amid much fanfare in the months and years to come.

Every Victorian knows that trick will not work. The Minister for Health needs to wake up to himself. He made the promise, and he needs to start to provide details on how he has delivered on it. Is it any wonder that members of our health workforce — who ought to know — believe the system is worse than it has ever been? Contracts signed by the Minister for Health with those who chair hospitals were snuck under the tree just before Christmas hoping no-one would notice a lazy 9395 fewer elective surgeries this year. That is fixing the problems and building the future, is it? What does that mean? It means that something like 7564 more Victorians will be waiting on the waiting list. So the fix is less surgery and more patients waiting longer!

As I have said, this government either does nothing or gets it completely wrong. That is what passes for leadership in this state today. There is no plan for jobs and no plan to deliver on the promises government members made. The Premier is a big guy, but he spent 14 months curled up in a little ball under his desk, hiding from difficult decisions and not turning challenges into the opportunities we know they can be. Instead he provided nothing like the leadership this state needs.

I will finish on this point: I visited Eastwood Primary School, which is a great local school. It struck me that I saw there a great scene that in many ways sums up this government. I went into a classroom of preps on their first day and the kids were all sitting on the floor. They were happy young kids; it was their first day of school. They had all been given iPads, which is the best of new technology, in a building that is falling down. It was a building we had committed to rebuild. We had supported that school for three years to get the planning done, but that has been scotched by this government. What a great symbol and great marker that is of this government's abject failure and cruel betrayal of the trust that has been placed in it. Doing nothing or getting it completely wrong is not leadership, but that is this government.

Bushfires: Black Saturday anniversary

Mr RYAN (Minister for Bushfire Response) — Today I grieve for those who continue to suffer the consequences of the Gippsland and Black Saturday fires which occurred in February 2009. Of course 7 February 2009 is now particularly known as Black Saturday and is seared into the hearts and minds of those who were impacted upon by the terrible events of that day. Across our state and throughout our nation this event is recognised as the worst natural disaster in the history of our nation. We saw the loss of 173 lives on Black Saturday. It was a tragedy of the most awful proportions. In addition, countless people were injured both physically and psychologically, and there was enormous damage to both property and businesses. Some 109 towns were impacted upon across 33 communities throughout the state. More than 2400 homes were lost, 1500 of which were primary places of residence. Over 430 000 hectares of our landscape was burnt. This was a day of losses of absolutely staggering proportions.

But I must say the human spirit is not to be denied. It is true that people continue to suffer and will never forget the awful events of that day and the people whose lives were lost. But by degree I believe on the third anniversary of tragic Black Saturday that towns and communities and the people who populate them are gradually making their way back from the brink of that awful disaster. I pay tribute to the resilience of the people in these respective communities. They are nothing less than amazing and inspiring in what they have done and in what they continue to do.

That was reflected just as recently as last Sunday when, in company with the Premier, the member for Morwell and the federal member for Gippsland, I attended a function at Callignee in Gippsland. Late in the day the Premier and I, together with other members of the government and the Leader of the Opposition, attended a very solemn and uplifting function at the Victorian Arts Centre in Melbourne. It must be said that there are definite signs of a resurgence, which is increasingly evident across these communities. I want to assure members of the house and the people of Victoria, particularly those who suffered during that dreadful event, that the government is doing everything it possibly can to support those who suffered so terribly on that day and who continue to this day to struggle with what occurred.

For a start, as a government we are implementing all 67 recommendations of the 2009 Victorian Bushfires Royal Commission. Neil Comrie, in his role as the independent implementation monitor, will present his

second and final report to the Parliament in July. In that report he will reflect, I am sure, on the many elements of what has been undertaken in relation to the implementation of those recommendations.

Last year I announced the buyback scheme for the properties that were impacted by the fires. That scheme will take effect on 1 March this year. It will be done under the leadership of Pat McNamara, a former Deputy Premier of the state of Victoria. The government has committed \$50 million to the buyback scheme. However, as I have indicated publicly, we will provide more money should it be necessary to accommodate the needs of that fund. The scheme has developed as the result of some 80 meetings and discussions which we have had with groups and individuals across the state in fire-affected areas.

We anticipate that more than 500 property owners will have the potential to access the scheme. However many it may be, time alone will tell, but as of 1 March applications will be sought. We will see the outcome of the process as it unfolds. Furthermore, we have received and accepted the recommendations of the powerlines task force. Late last year we announced a program which means a package of up to \$750 million in Victoria will be committed towards the work that is intended to be undertaken as a result of the recommendations of the task force.

In addition to that, we have asked the federal government to contribute another \$250 million to bring to a total \$1 billion the package of money to be dedicated towards this cause. We intend to see this recommendation implemented. That will see the use of automatic circuitry closers; it will see undergrounding carried out in areas of priority fire risk; it will also see, very importantly, money dedicated to research and development so that better technical options can be developed over the course of the years. All this was contemplated by the commission at the time it made its recommendations.

I am proud to say that we have negotiated the location-based emergency alert system. This will mean that as from approximately December 2012 there will be a mechanism for these alerts to be dedicated to mobile phones on a location basis. As everybody knows, at present the system operates only on the basis of the alert going to the billing address. This is a great breakthrough. Victoria has led the way. We were given the task by the federal government, and we have done it. The rest of the jurisdictions in Australia would not agree to contribute. We have said, 'Forget all of them for the moment', and we have done a deal with Telstra. I have, however, written to the other premiers and chief

ministers in the other jurisdictions asking them to now contribute to the cost of what we have been able to negotiate. I also believe and am hopeful that over the course of this year Optus and Vodafone will see their way clear to complete negotiations with us so that come December 2012 we will have a very broad coverage of the emergency alert system.

Very importantly, a vast array of initiatives are presently being undertaken in the community. Only last week I released the *Victorian Bushfire Recovery Three Year Report*. I urge all members to read it, because it is a document that has been prepared by the fire recovery unit. I pay tribute to the personnel in that unit. They work very hard to provide every possible means of assistance to those who were impacted on by the fires. The bushfire recovery third year report discloses that some 77 per cent of the people who were the owners of the 1500 principal places of residence have either purchased homes, rebuilt their homes or are in the process of rebuilding their homes. The report also discloses that another 16 per cent of the 1500 who lost their homes have taken the decision to rebuild but are still in the process of getting themselves organised. These are very encouraging figures.

There are many other specifics in the pages of the report. I am pleased to say that in the course of the last year significant areas of infrastructure have been completed. In fairness, for the record, I pay tribute to the fact that the former government enabled some of these projects to be commenced, amongst them the Marysville community centre, the Middle Kinglake Primary School and children's centre, a number of community halls across the fire-affected areas and the facilities at Lake Mountain. I encourage members to go and have a look at those facilities if they have not had the opportunity to do so, because they are nothing less than magnificent.

In addition to that, we have maintained the provision of the mobile building advisory service. The original five personnel committed to that task completed their contracts in December 2011. We have appointed three personnel to the service, two of them being chosen from among the original five so that continuity can be maintained. That program is due to expire in June this year, but again I will have careful regard to the manner in which it is progressing before any final decisions are taken about it.

The Marysville and triangle economic recovery package extended the opportunity to take advantage of support to many small businesses in that region through a \$5.2 million package. There is \$4.4 million in low-interest loans, and 64 of those loans have been

taken up. That is a great thing for those regions. Of the 40 businesses originally operating in Marysville, 26 are now back in action. It is very encouraging. We are also running a small business mentoring service in conjunction with the private sector.

I pay tribute to the 33 community recovery committees that worked so hard in the development of the plans for their respective communities. They identified approximately 1100 priority projects, and something of the order of 800 of those, in different forms and at different levels, have been implemented. It has been a magnificent combined effort.

There are many youth support programs which have taken effect. I pay tribute also to the Victorian Bushfire Appeal Fund under the chairmanship of Pat McNamara and the committee that ran it. It has done a wonderful job in administering that fund and distributing the \$400 million so generously donated by not only the people of Victoria but also the rest of Australia and across the world as people on a global basis responded to this shocking tragedy. The youth support program has had a strong focus on providing support to our youth, and almost 20 000 young people have been involved in various forms of activities throughout the fire-affected areas.

In times to come we are going to see some terrific initiatives undertaken in the areas that have been impacted on. I am proud to say that we have purchased the site of the Cumberland Marysville, which was so tragically lost on the day of the fire. The government has purchased the site and the two adjoining blocks of land and we intend to go to the market with a total package of \$19 million, including that which has gone into the purchase of the land, which will be dedicated to the development of the new convention centre. We are hopeful that the recently closed tender process will bring about a very constructive outcome in seeing this convention centre built. Similarly the work in relation to the golf course project development is well advanced, and I am hopeful that as this year unfolds we will see that great project being undertaken.

There will be many ongoing initiatives in both the mental health area and the area of psychological support that will continue to need to be provided for those who are suffering.

In the area of housing, across the four villages of Flowerdale, Kinglake, Marysville and Whittlesea we are now at the point where only nine of the premises within the four villages are occupied. By about the middle of this year it is hoped that the people who are currently living in those facilities will have been placed,

and it is anticipated in the broad sense that those villages will be closed by midyear.

The upshot of all this is that the government is continuing to encourage communities in the fire-affected areas to re-establish their lives and livelihoods. We anticipate that over the coming two, three or four years we will continue to see the transition of these communities in their respective parts of the state. For example, in regard to the Marysville triangle area I can well envisage a time beyond that period of, say, two, three or four years when it will return to its original magnificence and when the glorious aspects of that wonderful area, which for so long have been a focus of attention of people who have come to visit from many different locations, will be reinstated as the form of the landscape continues to be naturally re-established. Of course that will be interwoven with the many structures and physical assets that have been rebuilt across the area. The principal thing that will make a difference is that the people who live in those areas will gradually get back on their feet, re-establish their lives and see a future for themselves and their communities.

The same picture applies across the rest of the state. We saw those people gathered at Callignee on Sunday, when we unveiled the memorial wall. This was work that had been undertaken under the leadership of the local community — it had been developed by the local community for the local community. We are seeing this increasingly across the state. The ceremony that was held at Callignee on Sunday was repeated in different communities on Tuesday on the third anniversary of Black Saturday. All of these areas are recovering in their own way at their own pace, and it is important that everybody across the state not be judgemental about these people. We need to make sure we support them and give them the opportunity to recover in their own place and in their own time. Some will never recover — that is a fact — but for others it will be a generational change. Many others are stepping their way through it, and we are intent on supporting them.

I finish by saying this: of all the things that a government of any persuasion can bring to people who have been caught up in a tragedy of these dreadful proportions, the most important is hope — the government can bring them hope. Of all the things we offer to these people, it is just that. I say that not only on behalf of the government of Victoria but also on behalf of this Parliament at large.

Education: government performance

Mr MERLINO (Monbulk) — Whilst I am certainly excited to be the shadow Minister for Education, I join this debate today to grieve for education in Victoria. Education is a passion of mine. It is through education that people can transform their lives, break out of poverty and achieve their dreams. Only governments that have an unwavering focus on education, skills, research and innovation deliver sustained economic growth, jobs and high standards of living. Education should be the no. 1 priority of every government, yet I come to this role, only 14 months after the change of government, to face the reality that Victoria's education system is going backwards at a rapid rate. The Minister for Education should be condemned for the damage that he and his government have wrought in such a small space of time. The students, teachers and school communities that he is responsible for are missing out. A corrupted allocation of capital resources, savage budget cuts and broken promises to teachers — that is the reality of education under the Baillieu government.

Let us recap the last couple of decades. The Brumby and Bracks Labor governments worked to restore confidence in public education, delivering 10 300 extra teachers and support staff and investing an additional \$8.65 billion in this sector. As we all know, the previous Kennett government decimated our state schools and showed no commitment to a universal and high-quality education system for all students. More than 300 schools were closed and 9000 teachers were sacked. The Kennett government underfunded the education system and left our state school system run down and demoralised.

Well, here we go again. The 2011–12 budget shows that the Department of Education and Early Childhood Development is required to find a massive \$481 million in savings over four years. At the budget estimates hearings last year the Minister for Education told the Public Accounts and Estimates Committee that:

... the government expects departments to deliver administrative savings so it can redirect those resources to provide more and improved front-line services.

Unfortunately the reality of these 'administrative savings' has not hit the bureaucracy, advertising, consultancies, ministerial staff or consumables. It has hit front-line services that were built up and supported under Labor and services that give Victoria's young people the best start in life.

Let us go through the hit list. The \$481 million that has been slashed from the education budget over the next four years is meant to come from administrative

savings, but it actually comes from a number of other areas. In regard to the Victorian certificate of applied learning, \$12 million a year — \$48 million over four years — has been stripped from its budget for coordination. I will talk more about that later. The School Start bonus is no longer available for 100 000 Victorian families. We had the happy snaps — the photos of the first day at school for the preppies. The minister and the Premier were happy to do these, but they did not talk to those families that no longer get the School Start bonus. Victoria has lost 200 teaching and learning coaches, 45 literacy experts and 15 specialists who assisted Koori students. Funding for the Reading Recovery program has been cut. Does the minister seriously consider these to be administrative savings?

I turn to funding for capital projects. School capital funding has been almost halved this year, from \$381 million in Labor's last year of government to \$208 million this year. The Victorian schools plan has been abandoned, which means that the plan, which would have seen every Victorian government school rebuilt, renovated or extended by 2016–17, is now a thing of the past. Prior to the election the government, then in opposition, promised 36 new schools, and these are now on the never-never list for funding. The \$10 million school improvement fund that the government promised prior to the election has not eventuated.

The list goes on. The government has backflipped on its commitment to make Victoria's teachers the nation's highest paid. It has scrapped the Young Readers program — the universal reading program that provided 100 000 free books to families to start children reading from a young age. It has scrapped the apprentice completion bonus, which supported employers of 14 000 young apprentices to ensure that those apprentices could complete their training and become fully qualified tradespeople. From 1 July this year no new apprentices will be eligible for this program. The government has slashed \$250 million from the Victorian TAFE and training sectors. Under these cuts, large metropolitan TAFE institutes will be \$5 million to \$8 million worse off each year, and regional TAFE institutes will be \$500 000 to \$700 000 worse off each year.

That is just what we know so far, and it is despite the Minister for Education telling the Public Accounts and Estimates Committee in the budget estimate hearings last year that:

Our agenda says that improving and expanding front-line services is critical to building a better Victoria.

The minister's actions expose his comforting words for the lies they are.

As members would be aware, in 2006 Labor was proud to announce the Victorian schools plan. In its last term in government Labor invested \$1.9 billion in the first four years of the Victorian schools plan and surpassed our commitment to rebuild, renovate or extend a further 500 schools — 553 schools were funded. Under this plan every Victorian government school was to be rebuilt, renovated or extended by 2016–17. This significant investment in education was to see Victorian students receive a world-class education through quality teaching supported by state-of-the-art technology. On top of that, the Building the Education Revolution program delivered \$2.54 billion for over 2900 projects in Victorian government schools. The Victorian schools plan, combined with the commonwealth government's BER program, provided Victorian schools with an unprecedented opportunity to revitalise their educational facilities.

Had Labor won the last election, a further \$1.7 billion would have been invested in the Victorian schools plan. Both we and the Victorian community thought that we had bipartisan support for the Victorian schools plan. When they were in opposition the coalition parties gave a commitment that they would complete the program as intended by Labor. The coalition's own pre-election plan for education stated:

The Liberal-Nationals coalition is committed to this program to upgrade all government primary and secondary schools across the state, but will reorganise the priority list to ensure that those schools in desperate need of an upgrade have funds committed to them earlier than under Labor's program.

They did reorganise it — they reorganised it out of existence. No sooner had they been elected to government than the Minister for Education told Parliament in December 2010 that school upgrades would be completed according to political need. He said:

My priority and this government's priority is to fulfil our election commitments.

He went on to say:

Our members and our candidates came up with fantastic projects that are worthy and I will fulfil those promises. We will then look at all of the other schools.

But the ones that 'our members and our candidates came up with' are the only ones the government is interested in. It is all about them. What that fails to recognise is that the Victorian schools plan was based on need.

Mr Watt interjected.

The SPEAKER — Order! The member for Burwood will desist.

Mr MERLINO — It was based on independent advice from the Department of Education and Early Childhood Development — not from coalition MPs and marginal seat candidates. What the government has served up is a biased and corrupted building program. An analysis of the commitments made prior to the election show that five out of every six schools that were promised upgrades were in Liberal or Nationals electorates.

To paint a picture of this bias, six schools were promised funding in the Carrum electorate, four schools in Ferntree Gully and three schools each in Mordialloc and Gembrook; on the flip side, just one school in the entire western suburbs and only one school in the northern suburbs were promised funding — and that was for a feasibility study. No wonder these cowards are running away from a fight in Niddrie! And, cruelly, 36 of the schools that were promised funding by the coalition in the lead-up to the election received no funding at all for their projects.

Schools that were lucky enough to receive funding in last year's budget are already suffering at the hands of this disorganised government. Take, for example, the bungling of the search for a site for the new Torquay secondary college. Despite promises to have the stand-alone secondary college opened by 2013, the land has not even been purchased yet. Families in Torquay deserve better than empty promises from this government.

Parents want their children to have the best start in life, and the great thing about our education system is that people have a choice. The quality of education in our state schools has put them among the best in Australia, if not the world. At the same time, parents have a choice to send their kids to excellent faith-based or independent schools. The quality and variety of choices for parents and students are two of our state's great strengths. In 2011 in the greater Melbourne area there were 145 000 students enrolled in 326 Catholic schools in the archdiocese, supported by more than 16 420 teaching and non-teaching staff.

Labor recognised the importance of the non-government sector. In 2009 a record \$2.1 billion was delivered to non-government schools over four years. In addition, prior to the election Labor committed \$194 million to bring the funding per student in the non-government school system to 25 per cent of the

cost of educating a student in a government school. The coalition also made that commitment, which was to be provided at the start of the 2011 school year. But unfortunately for the non-government school sector in Victoria it has also borne the brunt of the ineptitude and doubletalk of this government. Catholic and independent schools were also hit with a 2011 budget whack from this government.

I will quote again from the government's plan for education, which criticises Labor. It says:

However, the detail of Labor's election-eve promise showed that it will not provide any extra funding for non-government school students until 1 July 2011. Unlike Labor, the Liberal-Nationals coalition will increase funding for non-government schools from the start of the 2011 school year.

What did this government do? In an all-too-familiar pattern, this commitment was not met. What a surprise! Having made such a song and dance criticising Labor, the government's hypocrisy was remarkable. Rather than funding flowing from the start of the school year as promised, it was provided on 1 July 2011. This meant that for the first half of the 2011 school year Catholic and independent schools essentially had to plan their budgets and spend money while flying blind. So much for the hand-on-heart commitment prior to the election.

One of the harshest and most unfair cuts by this government is the \$12 million a year — or \$48 million over four years — cut to coordination funding for VCAL (Victorian certificate of applied learning). VCAL provides an alternative pathway for students. If it was not for VCAL, students would be lost to our education system. It was created in 2002. Last year around 20 000 students at over 400 schools, TAFEs and learning centres were involved in VCAL. Without VCAL, many of these students would be lost to education.

I have talked to schools in my electorate. They are desperate to keep VCAL, and they will keep it even if it means taking resources away from other programs or dropping enrolments. But the Minister for Education should go to the students and parents at Monbulk College and explain to them why the cut to VCAL coordination funding has led to a 55 per cent drop in enrolments. Where are those students? They are lost to education, and that is reflected — —

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

Former government: financial management

Mr WELLS (Treasurer) — I grieve for all Victorians in relation to the previous state Labor government's economic and financial mismanagement of this great state. By contrast, the Baillieu government is working hard to strengthen the state's finances with responsible, well-thought-out financial planning and delivery. But I need to make one point at the start, and I pick up, with the greatest respect, the point that the Deputy Leader of the Opposition was talking about concerning the issue of delivering on election commitments. We are committed to delivering on our election commitments, so if the issue concerns a number of schools in a number of electorates across the state, then we will deliver on those election commitments.

The previous government had 11 years to build and maintain the schools where it wanted them to be. It lost the election, and now we have a different plan. We will focus on what we promised, because when the people went to vote in the 2010 election they were expecting us to be able to deliver on the election commitments that we set out.

Mr Merlino interjected.

The DEPUTY SPEAKER — Order! The member for Monbulk has had his opportunity.

Mr WELLS — I was going to leave it at that, but I guess I have been provoked slightly by the Deputy Leader of the Opposition, so I will give the house one more example. As the member for Monbulk, the Deputy Leader of the Opposition made a commitment to the veterans and to the people in his area to upgrade the 1000 steps in Upper Ferntree Gully. Once we were in government we went to find out where the money was, and there was not one cent put aside for that election commitment — not one cent. Then when a briefing was held by Parks Victoria to find out what was going on, it transpired that there was not one cent put aside for that million-dollar project. So the former Premier and the now Deputy Leader of the Opposition were out there saying, 'We will do this for the veterans and that for Parks Victoria', but it was a hollow promise. Not one cent was put aside, and the member for Monbulk knows that.

Therefore our priority is to make sure that we have strong economic management and that our key priorities are economic activities to generate jobs. We have to maintain confidence. We have to fund the infrastructure. We have to ensure that we keep our taxes competitive and make sure that we have a

AAA credit rating, which is something we are very proud of and will continue to maintain. We also have to ensure that we have the money available for those front-line services and that we are not in a situation, like the previous government, of having to borrow and borrow and borrow for infrastructure projects. That was an incredible situation. So we are building up cash surpluses to be able to fund those issues in regard to building infrastructure.

I will point out one other issue: in the 2002 year debt was paid down to about \$2.5 billion to \$3 billion. Over the forward estimates it had built up to between \$31 billion and \$32 billion. Total public sector debt was paid down, but the now opposition racked it up to about \$33 billion over the forward estimates period. What did the opposition spend it on? We would love to know what it was spent on, because the infrastructure spend is a big issue we now have to confront. The first step in rebuilding our finances was in the May budget, and we had to start the process of rebuilding strong finances. The deputy opposition leader should come back into the chamber, as I have far more examples he needs to hear.

We are focused on the \$100 million surplus. We had to implement greater efficiencies by implementing \$2.2 billion worth of savings over a five-year period. We had to constrain expenditure back to 3.2 per cent. We had to bring a high-value, high-risk unit into Treasury to oversee all those large infrastructure projects that were either high risk or valued at greater than \$100 million. Following the reckless decisions made by the previous government, as I said earlier, we had to stabilise the debt to maintain a AAA credit rating.

We said we would set that out in the budget, and then we had to have another look at the budget update. But in the meantime I was interested to note some of the opposition leader's comments. He said they were going to put out a comprehensive policy platform in 2012. Out of interest I looked at the Labor Party website to see if the economic policies were online. Members can imagine my surprise when I found a comprehensive policy platform for the Labor Party. I actually found it under the title 'New ideas. Fresh leadership'.

However, on further inspection I found that Labor's new ideas were actually Labor's draft policy platform from 2010. So Labor members say they have new ideas and fresh leadership, but they have not updated their website at all and are still using the 2010 draft policy platform. For 14 months they have been out there whingeing, whining and carping and talking about a new policy platform, but they have forgotten to update the website, so the new ideas and the fresh leadership

are still stuck in 2010. I suspect their own internal review will find that they have not updated the website and that for the last 14 months they have been lazy and out of touch.

In the budget update we needed to go further to ensure that the state finances were strong and that we would have a strong economy, something that is very difficult in the current situation. We believe that all governments have to live within their means, and on average over the last 11 years Labor has been spending at around 8 per cent. If you are spending at 8 per cent that is fine, but if your revenue has been only 7.3 per cent then every year you are going further and further into debt, and the independent review of state finances made the point in its interim report that that situation is not sustainable. Because I do not think many government members have been in business or have run businesses there is a lack of understanding of the need to ensure that you have the money there to pay the bills.

The other concern is public service numbers. They had been growing at 5.3 per cent between 2006 and 2010, but the population growth was only 2 per cent. Something was not right. I was interested to hear the Deputy Leader of the Opposition talking about the amount of money spent on schools through the Building the Education Revolution program. The problem was that those one-off payments were keeping the budget from going into deficit. In fact there was a payment in May 2009 of \$2.8 billion, which saved the Victorian budget from going into significant deficit.

We also have the problem of lapsing programs. We would have thought the previous government, having made a commitment, would have had ongoing funding for particular programs such as the School Start bonus, but that was not the case. Another example is the 65 park rangers, the funding for whom finished as of 30 June 2011, and not one cent was put aside for those 65 park rangers. There was no money there. The other example is the Royal Society for the Prevention of Cruelty to Animals officers. When we went to find the money to fund them as of 30 June 2011, once again not one cent had been put aside for RSPCA officers. It was a ridiculous situation. Of course we have also had the Melbourne Markets and myki, and the poker machine licence fiasco.

We had to rebuild the finances after the mess that was left by the previous government. With this budget update we are going to increase the surplus, which will rise to \$1.3 billion by 2014–15. Why have we done that? To ensure that we have the money to pay for those front-line services and to make sure that we have the

money to pay for the vital infrastructure projects that will make the economy more efficient.

We can no longer continue to go into debt. Victoria now has the strongest fiscal position of all the states, posting a \$2.55 billion total operating balance over the forward estimates. Those are the figures that have been given to us by the Department of Treasury and Finance after the decisions we have made. We have the strongest financial position, and we are going to make sure that where there are revenue amounts above the trendlines we deal with them responsibly. When the previous government received extra funding or extra revenue above the trendline, it would go and spend it. When revenue dips, there are excessive consequences, including increases in debt.

Looking at what Labor has promised in opposition with regard to economic agendas, it has suggested a boycott of tomato sauce. I suppose that is pretty devastating. It has asked for a new public holiday. Does anyone know what the new holiday would cost? It would cost the Victorian economy about \$700 million for that one day. For 11 years productivity had been falling away. During the Kennett years we were above the national average for productivity growth but over the last 11 years productivity had actually fallen below national levels. That is a disgraceful situation. We know why Labor members will never talk about productivity — they are too cosy with their union mates. They cannot talk about an increase in productivity because their union mates say, ‘No, we will not cooperate’.

Where does state Labor stand with regard to such important issues as the carbon tax? The carbon tax is going to affect every single Victorian. It is going to affect their businesses. When you are trying to —

Honourable members interjecting.

Mr WELLS — The member for somewhere, the member for Mill Park, says we are making it up. Do I take it from that that the state Labor Party is saying that the carbon tax will be a benefit to Victorian businesses? Is that what it is saying? That is what opposition members are saying. We will get that on the record: the member for somewhere, the member for Mill Park, is stating that the carbon tax will be good for Victorian businesses. That is a disgraceful situation.

We needed to do a budget update to make sure that we have a strong financial position moving forward. Had it not been for those one-off, Building the Education Revolution payments from the federal government, the state government would have been running deficits year after year after year. Under our proposals we are

moving away from that to make sure that we are living within our means and not relying on the federal government — on a whim with a chequebook — to be able to bail us out.

We made it clear under the financial plan we put together in the budget update, which we brought down on 15 December, that debt in relation to government service provision will fall from 5.9 per cent to 5.8 per cent. That means the debt will actually be cut, and that is something we are focusing on. We have said that there will be a reduction of 3600 in the public service. The public service — that back-office, administrative part of government — was growing far too quickly under the previous government. We want to be able to use that money to bolster front-line services: PSOs, police, teachers and nurses. It is about those front-line services. Those sorts of areas are what we are proud of.

In conclusion, we believe a strong budget underpins almost everything. We need to enable economic challenges to be met in the future, and we need a strong foundation for economic growth, employment and productivity.

Western suburbs: government performance

Ms HUTCHINS (Keilor) — I rise to grieve for the lack of investment in vital services for the western suburbs of Melbourne by the Baillieu government. I am glad I have the opportunity to speak after the Treasurer, because the Baillieu government has cut much-needed funding to vital services for Victorian families in the western and north-western suburbs. I liked the Treasurer saying that we must live within our means! Clearly in his budget ‘within our means’ means he is only looking after the interests of half this state. In fact his insults to the member for Mill Park, calling her ‘the member for somewhere’, clearly demonstrate that he does not know where Mill Park is. I assume from his budgetary decisions that he also does not know where the other suburbs of the north-west, such as Niddrie, Keilor, Melton, Altona, Williamstown, Kororoit, Tarneit, Essendon or Broadmeadows, are. In fact no part of last year’s budget addresses any of the vital service needs of the growing population in these areas. The government’s lack of commitment to the western suburbs has been clearly demonstrated in the last 24 hours in its decision to not be brave enough even to run a candidate in the state seat of Niddrie.

The Baillieu government has not understood the importance of job security to Victorian families. It has failed to invest in job security and failed to invest in projects across the state, cutting 3600 jobs from the public sector. The Baillieu government is not

committed to protecting the lifestyles of Victorian families, and it has no plans or investments for the right infrastructure to manage growth.

It is disturbing to hear the Treasurer say he is not relying on the chequebook of the federal government. I find it surprising that this government thinks it can operate without a cooperative partnership with the federal government and those much-needed funds for our vital services to run this state. The government has failed to plan for or invest in vital services in the area of nursing, refusing to give a decent pay rise to protect nurses and refusing to protect nurse-to-patient ratios. The government is not committed to building a better transport system in the west or anywhere across Victoria in terms of spending more on infrastructure and transport, yet it is slugging the public with ticket price increases that do not deliver any additional services.

By stark contrast, the Bracks and Brumby governments invested in vital services. They worked hard on job security for Victorian families, particularly in the western suburbs. The Bracks and Brumby governments understood that there is nothing more important to Victorian families than job security. That is why we invested in job security projects across Victoria, unlike the current government. The Bracks and Brumby governments were committed to protecting the lifestyles of Victorian families, and that is why we invested in the right infrastructure to manage that. We also invested heavily in world-class hospitals, world-class cancer treatment centres and new health teaching and training facilities, and we boosted the number of nurses by over 10 000. The Bracks and Brumby governments invested in vital services, such as better transport services.

On the issue of jobs, the gap between those in the west and others is growing. The number of people is growing, and the lack of jobs is an expanding problem. Melton and Wyndham are currently experiencing the fastest population growth not only in Victoria but also in Australia — something that has not been acknowledged by this government. There is nothing more important to families in the western suburbs than having a job — that is, having security and stability. There are now over 21 000 additional unemployed people in Victoria. What is this government doing to secure jobs? What is it doing to secure jobs at Qantas in particular? What is it doing to support the retainment of Jetstar and the jobs surrounding that in Victoria? And what is it doing about the jobs at Holden that are currently under threat? I will tell you what it is doing: it is slashing public service jobs. That is what it is doing. It is not doing anything proactive on the jobs front, and

it is looking at cutting 3600 jobs from our public service. During Labor's term of government Victoria was the job creation capital of Australia. In 2010 we created 100 000 new jobs. This made a huge difference, and we do not want to see the state going backwards. We do not want to be sold out and be second best to New South Wales or Queensland.

In relation to public transport in the western suburbs, the Sydenham line has the lowest levels of commuter confidence according to a raft of public surveys conducted in the last 12 months. Lack of connectivity is a real issue in the western suburbs, particularly in the fastest growing areas. No funding for new bus services in the 2010–11 budget has meant that there are many people who are stranded in terms of public transport options for getting to work, going shopping and getting their kids to school. New estates are opening up every week in my electorate, and most people face a 20 or 30-minute walk from their front door to any source of public transport. Compounding this problem is the fact that the Caroline Springs station has still not been properly funded and construction has not commenced, which is pushing many commuters onto roads rather than taking the option of public transport, particularly those whose work is based in the city.

The decline in commuter confidence is evidence of the Baillieu government's failure to invest in the metropolitan rail network and bus services. As a result people are spending more time on roads commuting to and from work and less time with their families. This is having a huge impact on the outer western suburbs in particular. There are many social issues that flow on from isolation due to lack of public transport and lack of family time, particularly for men in families who spend too much time commuting on roads rather than having the option of good local public transport to get to work and get home quicker.

I think this contributes to the high levels of family violence that we experience in the western suburbs. Families are under extreme financial pressure. They are experiencing threats to their job security, which puts stress on households. As a result, just in the last 12 months — since this government has been in office — Brimbank City Council has seen an increase of over 30 per cent in family violence complaints, and there has been an increase of 28 per cent in the Shire of Melton. That is a massive increase in just 12 months. Unfortunately this high rate of violence has resulted in 740 incidents having been reported to the Keilor Downs and Sunshine police stations in a 12-month period in my electorate alone. Our police need additional resourcing, but there also needs to be additional counselling available in the west and more investment

in vital infrastructure, particularly around the provision of counselling, the provision of hospitals and supporting families with some security and the ability to get in and out of their suburbs quickly.

In addition to this we have a hospital system under continuing stress. The relationship this government has created with nurses is one of warfare. The attempts to destroy nurse-to-patient ratios and the lack of genuine negotiation with nurses around a decent pay rise — offering only 2.5 per cent whilst at the same time hospital executives get increases of 46 per cent — show a lack of respect for our nursing community. Cuts to health funding across the board in the budget total \$500 million, which has seen grave effects on the growing population in the outer western suburbs. There is a lack of commitment to new resources, new nurses and a new upgraded emergency ward to cope with the population increase. Over 1500 beds were closed in December 2011, and I have heard firsthand from local families about too many cases of people spending way too much time waiting in emergency wards. In fact after 10 hours some people decided to go elsewhere rather than be stuck in an emergency department unable to cope with the level of admissions due to the lack of beds available.

Compounding this are the projected cuts to elective surgery over the next 12 months — in particular over 500 patients in the Western Health hospital system will not be able to have elective surgery due to cutbacks. There is no new additional funding for beds, nurses or upgrades to departments, and the population growth projections for just the next 12 months in our region indicate that there will be well over 7000 residents requiring services that rely on the Sunshine Hospital. This is an extremely big issue that is linked to the population growth of the outer western suburbs, predominantly in the shires of Melton, Brimbank and Wyndham, which all rely extensively on the Western Health network. They need some quick funding to be injected into those hospitals so the people of the outer west can combat their chronic health problems and feel that they are supported in the new estates they are moving into.

There is no mention of new funding in the budget. There is no actual health plan for the west that I have seen, and there are no proposed road upgrades to improve local traffic congestion. This is compounded by not having any new bus services planned for the future. I have to say that probably one of the biggest issues facing this government is how it will handle the growth of the outer suburbs. From the Treasurer's comments earlier, he does not even know where half of the outer suburbs of Melbourne are, let alone

acknowledging them or giving them the commitment they require in the budget.

Mr Scott — He wouldn't have been there!

Ms HUTCHINS — No, he has not been there. Unfortunately the biggest neglect of the western suburbs by this government that I have seen to date came only in recent weeks, and that is in relation to what is being labelled as a catastrophic disaster that hit my electorate in particular and the surrounding western and northern suburbs. It was the catastrophic disaster of a hailstorm and a tornado on Christmas Day. It hit at a time when people were sitting down to their Christmas lunch, and it caused a lot of devastation.

In the western suburbs, in my seat alone over 10 000 homes were badly damaged, 1700 homes were visited by the State Emergency Service, more than 300 families were displaced from their homes and will be unable to return for up to 6 to 12 months and more than 20 000 cars were written off. To date over 80 000 claims have been lodged with the insurance industry at a cost of about \$600 million. In fact the Insurance Council of Australia has declared the event catastrophic and has said that it will cost the insurance industry more than the cost of last year's Victorian floods.

However, when as the local member for Keilor I have listened for the government's response and looked for government assistance I have not seen any response. I have heard no public acknowledgement of this disaster. I am sure none of the local residents has heard from a government minister or heard a government minister speaking on their behalf about the tragedy they have faced and the trauma they are experiencing six weeks after the event. There has been a lack of response from the government to provide genuine help outside of the five-day emergency period.

When I look at the floods report recently released by the government I see that clearly many measures can be put in place to assist families, particularly the 300 families who are struggling to keep their jobs and basically stay sane because they do not have a house and most have lost all the goods in their house, to come to terms with what their future will be. Unfortunately during this time some of them have been ripped off by scammers, and many are facing job insecurity due to a lack of accommodation and an inability to get their cars, which have been written off, back on the road.

I plead with the government to take some action around this and to not continue to ignore the western suburbs in times of tragedy but also in times of investment when

the budget comes around. I would like to remind the Treasurer that there are many suburbs of Melbourne that need attention.

India: trade delegation

Ms ASHER (Minister for Innovation, Services and Small Business) — I grieve today for the abysmal quality of the ALP opposition and for its hypocrisy over economic matters. I specifically want to bring to the attention of the house the manner in which the Labor opposition is criticising what the coalition is doing to try to seek new markets. I draw to the attention of the house an article which appeared in the *Herald Sun* of 26 December 2011 and which is a commentary on Premier Baillieu's impending leadership of a delegation to India, leading the largest ever trade mission from Australia to India. It attributes some comments to the scrutiny of government spokesperson and a member for Western Metropolitan Region in the other place, Martin Pakula. In an opportunistic manner, he said:

The Premier has called this a 'super trade mission' but all we know at the moment is that it's going to be super expensive ...

He then made some comments in relation to photo opportunities and the like. I understand opposition; I was in opposition for 11 years. But the problem for this opposition is that this approach to a very important trade delegation is completely flawed. It is flawed for three reasons. Firstly, when it was in government the Labor Party was trying to do something similar, albeit on a lesser scale, and I will go through what it actually did in government. Secondly, in its dying days in government the ALP issued a document which indicated that this is precisely what it wanted to do had it been re-elected. Thirdly, the world is engaging with India, and Labor had better get with the program or else it will be left right behind in terms of this very important matter of looking for new markets.

I put on the record that India is a very important market for the world, and Victoria needs to be part of the approach. India's rapid economic expansion has seen its gross domestic product grow by 8.5 per cent in 2010–11 alone, and obviously there are very significant trade and investment opportunities for Victoria as a consequence of a burgeoning middle class and a burgeoning economy. By way of example, trade and investment between Victoria and India have surged in recent years, with Victorian exports to India tripling since 2005. In terms of attracting leading Indian firms here — and we need the exports and the foreign direct investment in Victoria as well — 9 of India's top 15 IT companies have established a very strong presence in

Victoria, and that is important for the future of the state and for employment in the state.

Also, in terms of international students, and obviously that is our primary export market, as at September 2011 there were 30 000 Indian students in Victoria, which was 46 per cent of all the Indian students in Australia. There were significant challenges in that market for the previous government and there are challenges for this government. In terms of tourism, again there are some excellent opportunities. Tourism grew by 20 per cent to more than 62 500 visitors, over the 12 months to September 2011.

It is surprising that the ALP would criticise a trade mission to India for the following reasons. As I said, the first reason is that the ALP in government was trying to do this, albeit on a much smaller scale. I can advise the house that at least 15 ministers went to India — some leading delegations, some not — over the course of the former government's last few years in office. Premier Bracks — who announced that there would be an office in Bangalore in India, a decision we supported — and Premier Brumby made trips to India for the purpose of seeking investment and trade. The member for Essendon, a former minister, went on two occasions; he did not lead a mission, and you can understand why that would not happen. Former Minister Theophanous went on a trip there, and the member for Footscray, as parliamentary secretary, even went on a trip to India. My attention has been drawn to the fact that the member for Melbourne went to India in June 2010; I am told she put on a very gutsy performance in terms of sending out messages on international education. In February 2010 former Minister Lenders also went to India in what I am told was a very gutless performance, because he would not face the media at all.

My general point is that under the previous government there were 15 ministerial trips to India — as there should have been. I am happy to say that Premier Bracks did the right thing by opening an office in Bangalore. Premier Baillieu will open an office in Mumbai shortly. I would also like to draw to the attention of the house that in his previous ministerial capacity the member for Lyndhurst made 11 trips, most of which were a series of trade missions — which were not criticised by the then opposition, because the importance of trade missions is understood — although I do have to say the fact that he spent \$43 000 of taxpayers money on a trip in October and November 2007 for a desalination plant and water conference probably showed he did not learn about the management of finances for a desalination plant.

The second reason the ALP should not criticise the fact that a 240-person delegation to be led by the Premier will shortly go to India is that this was precisely what Labor wanted to do had it been re-elected. My attention has been drawn to a document entitled *Engaging India — Victoria's Plan to Build Trade, Investment and Collaboration*, and a press release issued on 22 September 2010, in the dying days of the Labor government. The press release says:

A new international trade plan will help to create more Victorian jobs by supporting local businesses to tap into new and emerging opportunities in India, one of the world's largest and fastest growing economies.

The press release went on to say that the then Premier, John Brumby, was launching the document and that the plan was going to:

... boost Victorian industry and trade jobs by helping companies seize opportunities in India.

How times change. This was a policy of boosting jobs and economic opportunities when the Labor Party was in government. We do it, however, and it is questionable in terms of what it will produce! I would advise the ALP to get these standards right. I also note that in this press release former Premier John Brumby said there would be a super trade mission of 200 Victorian companies to generate \$60 million in exports. I am happy to advise the house that we have already held a super trade mission, in April last year, involving 60 companies, and that generated the \$60 million in exports those on the other side wanted to generate. Indeed the member for Bendigo East is on record as saying that *Engaging India* was:

... part of the Brumby Labor government's commitment to position Victorian businesses and industry to capitalise on global business opportunities to create jobs for Victorian families.

That is exactly what this government is attempting to do and what the Labor Party is now criticising. Indeed if we look at the document, we see it has a foreword by John Brumby reiterating the comments he made in the press release and going on to refer to a super trade mission program the previous government wanted to carry out. Then there are some more supportive comments from the member for Bendigo East, whose photo appears at multiple points throughout the document.

The ALP's document goes on to say on page 14 that the actions those on the other side were going to take — had they been re-elected — would be to:

... build on existing trade and investment relationships by establishing a super trade mission program to India in 2011–12.

Indeed when you look at the timetable for this on page 31 you see that the Labor government had a plan — in case it were re-elected — to commence planning for a super trade mission program in the financial year 2010–11; the plan was that Labor was going to commence planning for it. When we were elected to government we did it in 2010–11. We led the largest ever trade mission to India in order to produce \$60 million-plus of exports. In Labor's plan — and I love it when a coalition government can deliver a Labor plan faster and better —

An honourable member — On time, on budget.

Ms ASHER — Before time and before budget. In 2011–12 the Labor Party was going to conduct a 'year of India' super trade and investment mission program. To top all this, in the Labor government's document for its plan, which we delivered, there is a picture of the now Premier — as I say, in a Labor Party document — which was presumably trying to send some type of bipartisan message. In terms of the hypocrisy of the Labor Party, its using the now Premier's photo in its document and then turning around and criticising what the coalition is doing — which represents the key platform in its own document — shows it is an abysmal opposition.

There is a third reason the Labor Party is out of touch. The Labor Party needs to know the world is engaging with India. David Cameron, the British Prime Minister, led the largest ever delegation from the UK to India; US President Barack Obama has been there, with a huge delegation, talking about future partnerships and the importance of the US-India relationship; Indonesia's President Yudhoyono went to India in 2011; the Russian president has gone to India; and the French President, Nicolas Sarkozy, also led a delegation to India. Everyone is chasing these dollars of economic growth and a burgeoning economy.

The Chinese Prime Minister has led a delegation to India, even with all the history of that relationship; the Japanese went in to India in December 2011; and the German Chancellor, Angela Merkel, led a delegation there in 2011. I am making the point that the world is engaging with India. The former Labor government tried, to a much lesser extent, to engage with India. Most importantly, had it been re-elected, the Labor Party was going to embark on a program of super trade missions, and it is now seeking to criticise the largest ever trade mission from Victoria to India, which will be led by the Premier.

The state government can do a number of things to assist the economy. We can reduce red tape, we can run a sensible budget surplus, we can manage our finances well and we can try to assist in economic activity by sourcing new markets, which is precisely what the coalition and the Premier are doing.

Importantly, I would draw the Labor Party's attention to an article in the *Australian Financial Review* dated 7 February. In case Labor Party members want to analyse what they should be doing, let me advise them what industry groups want. The article says:

Industry groups are calling on the federal government to pay more attention to small business in the May budget, including at least \$30 million in funding for exchange programs and grants to help businesses better deal with Asia.

An honourable member — And scrap the carbon tax.

Ms ASHER — And scrap the carbon tax. In conclusion, business groups want trade missions to economies where there are opportunities for small and large businesses. Indeed six of the nine vice-chancellors are attending the trade mission to try to deal with the problem of our international students. I reiterate that the Labor Party tried to do this when it was in government. It announced a plan for a super mission, but we have delivered it bigger and earlier and with more exports. The world is engaging with India, and my tip for the ALP is: if it is going to get real in opposition, it should try to do something with some economic credibility.

Employment: regional and rural Victoria

Ms KNIGHT (Ballarat West) — I rise today to grieve for the communities of regional Victoria, particularly the community that I represent, Ballarat West. Economically thriving, educationally engaged, employable and healthy communities do not just happen by accident. This applies no more so than in regional Victoria.

Labor spent 11 years building up the regions, and it understands the benefits of bringing jobs to the regions. A few examples of this include the State Revenue Office in the electorate of Ballarat East, which employs many people from my electorate of Ballarat West, State Trustees in Bendigo and the Transport Accident Commission in Geelong. Labor also knows the benefits of keeping jobs in the regions and has a proud record of supporting local industry, including local regional manufacturing industries.

As I mentioned before, an economically viable, healthy, educated and engaged community does not happen by

accident; it takes planning, commitment and the willingness to accept a challenge. It also takes passion to see it through to the end. To keep jobs in the regions for the workers of today, tomorrow and future generations takes planning. I grieve for the fact that I see no planning, commitment, willingness or passion from those opposite.

How short-sighted to cut the Victorian certificate of applied learning program and to dismiss the coordinators and the incredibly difficult and important work they do with students. They work with students who are most at risk of disengaging from education and facing chronic unemployment. There has been no acknowledgement of the fact that by investing in these students now we are securing their future and our workforce for tomorrow. However, I do not know why we would expect to see a plan for jobs or a commitment to jobs at all for that matter. When the Treasurer could not even bring himself to say the words 'jobs' or 'employment' or to dwell on the term 'skills' in his budget address, why would anyone in regional Victoria or Ballarat West expect jobs to be on the coalition's radar? How can we expect members of this Liberal-Nationals government to place work and jobs for regions at the forefront of their policy and legislative agenda when it is not at the forefront of the Treasurer's mind and does not even rate a mention in a speech that is supposed to set the economic direction and parameters of this state?

How do we trust a government that assigns such little significance to the creation and retention of regional jobs that it strips the job creation role from Regional Development Victoria? How do we trust a government to have the best interests of regional Victorians at heart when it hits regional apprentices with fee increases and slashes the subsidy that helps employers hire apprentices?

Hospitals: regional and rural Victoria

Ms KNIGHT — I grieve not only for the job prospects of regional Victorians but also for the health of regional Victorians. Healthy communities do not just happen by chance; they take planning. Let us have a look at the planning undertaken by this government so far. Under this government the health of regional Victorians is looking pretty dire. Even the youngest and most vulnerable are not exempt from the Baillieu government's failure to plan or properly fund health services in Ballarat. Despite the Labor government funding new high-tech cots in the new Ballarat Health Services special care nursery, the Baillieu government has not provided money for them to operate. This failure to provide funding for the cots means sick

children may have to travel in order to receive the care they require. It can be incredibly stressful and traumatic when your baby needs special care and attention, and it is important that families in Ballarat can access that care close to home. Families need to remain close to employment, support networks and the baby's siblings, so it is important that medical care be provided close to home. The capacity to provide this is sitting there, but the funding to run those cots is not.

Not only is the special care nursery underfunded, but essential services such as elective surgery are under threat at the Ballarat base hospital. The Baillieu government has set targets for elective surgery at the base hospital that are lower than the number of surgeries performed last year. As a result the waiting list for elective surgery is expected to grow. This means an additional 200 patients will be sitting on the waiting list at the Ballarat base hospital. I can only imagine how difficult this decision must have been for the hospital. When hospitals cut elective surgery you know the health system is critically underfunded.

Mr Gidley — On a point of order, Deputy Speaker, it is clear that the member is reading a speech in the house today in contravention of standing orders. I ask you to bring her back into line with standing orders.

The DEPUTY SPEAKER — Order! Is the member reading a speech or referring to notes?

Ms KNIGHT — I am referring to working notes.

As I said, that means an additional 200 on the waiting list at Ballarat hospital alone. If we look at other regional hospitals, we can see that the situations there are often worse. Barwon Health is looking at an additional 350 patients on its waiting list as at 30 June this year. Bendigo Health will have an additional 357 on its waiting list, and Goulburn Valley Health is looking at an additional 360. The overall number of additional regional patients who will be languishing on the elective surgery waiting list as at 30 June this year, as compared with the same time last year, will be a grand total of 1215. This government, in its planning, in its wisdom and in its passion to support regional Victoria, has decided that it is okay for 1215 additional regional Victorian patients to be on the elective surgery waiting list. What makes this scenario worse — if it could get any worse — is that the government tried to bury these figures by releasing them over the holidays. Government members may not care about regional Victorians, but members on this side certainly do. Their sneaky release of these figures was duly noted.

Things will only get worse if the government has its way in the nurses dispute and cuts a further \$100 million from the health budget each year. That will mean that the equivalent of 1758 nurses will be lost from Victoria's health system. Late last year I had the pleasure of speaking at a nurses rally where I stated that an attack on nurses and midwives is also an attack on every single patient who walks through a hospital door. I absolutely and firmly believe that if you attack nurse-patient ratios, you are attacking nurses and patients. I was very proud to be able to tell the hundreds of nurses, midwives and their families and supporters on that day that a Labor government would reinstate those nurse-patient ratios. We put them in once before, and we can put them in again.

When talking about health, I cannot let the opportunity to talk about the helipad go by. It has been a saga and a joke — a complete failure by this government to fulfil an election commitment. The big policy and big statement of those opposite was to say, 'We will build a helipad in Ballarat, and it will be funded in the budget'. But there was no money at all in that budget for the helipad; the government chose not to fund that helipad. Instead it set up a committee. Late last year the committee released its report, which was underwhelming. The report produced after eight months work runs to 12 pages that include a lot of nice glossy, coloured photos, and it brought the issue right back to where we had started. The report narrows the options for the site to the four options we knew about more than eight months ago.

I want to congratulate particularly the community members and the service provider representatives who are on that committee on their dedication to establishing a helipad and their commitment to keeping this issue on the government's agenda. Their commitment is devalued by this government's lack of action, and their hard work is diminished by this government's lack of planning.

Eureka Stadium: redevelopment

Ms KNIGHT — I want to conclude by grieving for my community of Ballarat and talk about not only the government's lack of planning but also the lack of vision for regional Victoria by referring to the Eureka Stadium redevelopment.

Labor made a clear commitment to fund the upgrade of Eureka Stadium and the redevelopment of the showgrounds beside it. For my community it would have meant that AFL footy and so much more would have been brought to Ballarat. It would have provided a facility in which to have concerts and other big events,

it would have given Ballarat the capacity to attract national and international conferences and, importantly, it would have created jobs.

Labor had the vision for this redevelopment and could clearly see the benefits for the entire community. The City of Ballarat can see the benefits of this redevelopment, as can the Committee for Ballarat. The *Courier* really can see the benefits of this redevelopment, and that is evident in the 'Think big Ballarat' Eureka Stadium campaign that it is running currently and has been running for a couple of months. I congratulate the newspaper on doing that.

The whole community of Ballarat can see the benefits of the redevelopment of Eureka Stadium — after all, it actually voted for it. It seems that the only people who cannot or do not want to see the benefits of it are members of the Liberal-Nationals government.

I think it is fitting when talking about the Eureka Stadium redevelopment that I give the last word to a boy called Ash. He was 12 years old when he sent me an email, which I would really like to read. It is important that we are open to communication from and listen to all members of our community, so I think it is important that Ash has his say:

... I firmly believe there must be a grandstand built at Eureka Stadium to encourage AFL to come to Ballarat. This would increase the money made by tourism and as a result this would lead to Ballarat's population to ascend above 100 000 ...

There must be a grandstand built at Eureka Stadium to increase tourism in Ballarat. This will also help North Melbourne's popularity ... Some may say we would lose money due to the expense of building the grandstand and keeping the ground in good condition but the money made from matches and tourism would surely mean in a couple of years we would have ceased the debt and would be making more money.

In conclusion, there should be a grandstand constructed at Eureka Stadium to help introduce AFL to Ballarat. This would increase tourism and lift Ballarat's population above 100 000 so there must be a grandstand built at Eureka Stadium.

I am pleased that Ash sent that email, and I congratulate him on his proactive stance in sending me an email off his own bat and expressing his very clear views about the benefits that he sees the Eureka Stadium redevelopment would bring.

I want to also thank the *Courier*, the Committee for Ballarat, the City of Ballarat, the North Melbourne Football Club, Gerard FitzGerald, who is the coach of the Roosters, and the community of Ballarat for not giving up on their vision, which is really the vision of

members on this side, for the Eureka Stadium and showgrounds redevelopment. It shows real commitment and real planning in regional areas, and it shows that we have the focus on jobs and on vibrant communities. We believe that such communities should be situated not only in the capital city but in regional areas as well.

Former government: performance

Mr WALSH (Minister for Agriculture and Food Security) — I rise today to grieve for all Victorians for the 11 years of Labor waste — the wasted opportunities over 11 years and the cost blow-outs. I grieve for the cost blow-outs on all the projects that the Labor Party had and for the bad deals that the Labor Party did over the past 11 years. Victorians have paid dearly for Labor's inability to manage money. As a number of people have said in this house for a long time, the Labor Party just cannot manage money or major projects, and its members have no ability to implement plans in Victoria.

A classic example of that inability is in relation to ICT projects. A recent Auditor-General's report showed \$1.44 billion in cost blow-outs on ICT projects here in Victoria. That is a huge amount of money. Now that we have an economy that is in tougher times, how good would it be to have that \$1.44 billion to spend this year on services?

The Bendigo hospital is a topical issue in northern Victoria, where you, Acting Speaker, and I come from. The \$1.44 billion in cost blow-outs on ICT projects would build two new Bendigo hospitals. It would deliver a lot more services for Victoria in a whole range of areas. Labor Party members cannot manage money or projects. The situation they have left Victoria in is an absolute shame.

Looking at my portfolio areas, there is the desalination plant — that great big white elephant down at Wonthaggi. Members of the previous government would not release the true figures for what that particular project actually cost, because they did not want to frighten people with evidence of their bad decision making. The Labor Party said it was going to cost around \$400 million a year. One of the things that we on this side promised to do when we came into government was release the true cost of that project. Melburnians in particular, but Victorians in general, learnt that that project will cost \$654 million every year, whether or not water is taken from it.

Following through to the end of the project, the stand-by payment will be \$767 million in the year

2038–39. If you add in the full cost of producing 150 gigalitres of water, in the last year of that contract, 2038–39, the contract is going to cost Melbourne Water customers more than \$1 billion per year for the luxury of having a plant down there. If there are 50 gigalitres of water coming out of that desalination plant in the last year of the contract, 2038–39, it will cost users \$16.58 per kilolitre. This project was not well planned; the previous Labor Party government panicked during the decision making for that particular project. What was even worse was the secret deal the Labor Party did with the unions building that project — the secret deal that has ratcheted up the cost of building in Victoria for at least the next decade. It is pricing us out of the infrastructure market.

The other great plan the Labor Party had was to pipe water from northern Victoria to southern Victoria. If you go back to the central region water strategy — another one of these Labor plans — you will see that the then Premier, Steve Bracks, promised that he would not take water from northern Victoria to southern Victoria because he said Melbourne had enough water and it was needed in northern Victoria. Less than 12 months later that promise was broken and the north–south pipeline was to be built. It cost \$750 million, but it is not to be used. What did the former government do? Its grand plan was for water to go from northern Victoria into Sugarloaf Reservoir. It cannot go anywhere else; it has to go into Sugarloaf Reservoir. Most of the time Sugarloaf Reservoir is full because it takes its water out of the Yarra River. Even if people wanted to use it, it could not be used. So there was a grand plan to take water from northern Victoria, and where did the previous government take it? It took it to Sugarloaf, where you cannot actually fit it in. That was a truly great plan by the previous government!

What did the current shadow Minister for Water, John Lenders, a member for Southern Metropolitan Region in the Council, say when questioned about not being able to use the water in Melbourne because it all goes to Sugarloaf, where there is no room for it? Mr Lenders said that storages could easily be moved to make way for more water. How much money would it cost to actually pick up a water storage facility in Melbourne and move it somewhere else? I explained at the time that I was very happy for Melbourne Water to give the current shadow minister, John Lenders, a good briefing on how the Melbourne Water storages actually work, because I do not think he understands the connectivity, particularly for the Yarra system, as the storages work down. Labor's grand plan now to get water down from northern Victoria to the south is to move the storages around to fix the water. Its grand plan for water was an absolute failure on these particular issues.

The other disastrous project is the Melbourne market. Horticulture is a major industry in Victoria. The Labor Party's plan for marketing horticulture in Victoria was to move the Melbourne market out to Epping in 2005–06 at an estimated cost of \$300 million. In 2009 it came back and said it was going to cost \$351 million. When we got into government last year the project was going to cost \$670 million — \$370 million more, or more than a 100 per cent blow out, on that particular project. It reinforces the argument that Labor cannot manage money or manage major projects. Horticulturalists in Victoria will be paying the rent for that market in perpetuity because of stuff-ups by the previous government. The costs are going to be forced onto horticulturalists and ultimately onto consumers in Victoria.

One of the other industries in Victoria that creates a lot of jobs is the timber industry. The previous government did its best to destroy the timber industry in Victoria. It demoralised the industry, talked it down and tried to get rid of it. It was interesting that in the *Saturday Age* this weekend the truth came out. It was revealed that within the last Labor government some people secretly began modelling an industry-wide shutdown in 2009. The previous Labor Minister for Environment and Climate Change, Gavin Jennings, a member for South Eastern Metropolitan in the Council, asked the Department of Sustainability and Environment to do work on how you would close down the native timber industry in Victoria.

There are 11 000 jobs in the native timber industry in Victoria, which is a subset of the wider timber industry in which there are 24 000 jobs. The previous Labor government started a secret investigation as to how it was going to close down the native timber industry in Victoria. Labor's plan for the timber industry was to do a secret report as to how it could take 11 000 jobs out of regional Victoria. I grieve for the Victorian people, and I grieve for the industries that the Labor Party tried to destroy while it was in government. Those 11 000 jobs are absolutely vital for the survival of those communities, but the previous Labor government under John Brumby started a plan to close that industry down. The truth has come out now, and the people of country Victoria would be appalled to think there was a Labor government in Victoria that was doing work to close down that particular industry. The previous government did nothing but talk down Victoria, particularly country Victoria, as it tried to demoralise communities with less jobs in particular sectors.

As I said yesterday, I was pleased to be able to release a report entitled *Victorian Food and Fibre Export Performance — 2010–11 Financial Year*. One great

thing in the last 12 to 18 months with the breaking of the drought has been the resilience of our agriculture, food and fibre sectors in Victoria; there has been a comeback and the value of Victorian exports has increased by 19 per cent year on year over the two years of 2010 and 2011. There has been in excess of \$1 billion worth of Victorian exports, which will do great things to create economic activity and jobs, particularly in country Victoria but also in Melbourne where value-adding industries are located and where the port is situated. As I have said numerous times, the biggest single user of the Melbourne container port is the dairy industry. We should be proud of our dairy industry in Victoria and what it creates for the state.

The key to the success of our food and fibre sectors is developing export markets. If members look at the statistics, they will find that the recent United Nations report says that by 2050 we will need 70 per cent more food than we currently have in the world to feed its population. Victoria is well positioned to be a key supplier of that food in the future, which is one of the reasons why the Baillieu government is investing in research and the extension of the agricultural industry. It is one of the key reasons why the Premier has personally taken up the challenge to lead overseas delegations to grow those markets.

The dairy industry has had access to the Indian market for the first time in the last couple of years. There are great opportunities to grow the Indian market. As we all know, the cow is sacred in India, so Indians have a personal taste for milk products. The 1 billion people in India mean there are opportunities to increase the supply of our product to that country. China is a growth market for Australian and Victorian dairy products. There is a great opportunity in China because of the 1 billion people who live there. A very good partnership has recently been forged in China by the Murray Goulburn Co-operative, which is helping to grow that market. If members consider the other key destinations of Australian food and fibre, they will see that China is the standout market; it takes 20 per cent of Victorian product. Japan is the next largest market, taking 9 per cent of Victorian product. The key commodities that are exported to Japan are dairy products and red meat.

We in Victoria lead the world in lamb production. There are great opportunities to expand the lamb industry and to increase the research capability in Hamilton, and that is why we have invested money in Hamilton —

Mr Delahunty interjected.

Mr WALSH — He is a good local member. The money that is being invested in Hamilton will see an increase in lamb production. It is estimated that the farmers who have taken up the EverGraze project, which the DPI (Department of Primary Industries) has been running, have generated an extra 200 000 lambs per year. If a lamb is worth \$150, then an additional 200 000 lambs mean a lot of extra money, and that has been created by the EverGraze program. That is a great outcome.

The Baillieu government has invested in a lot of industry opportunities, and one of them is in Horsham. The government has particularly invested in the legume industry. In Asia and the United Arab Emirates there are huge demands for grain and legumes. They are part of the staple diet. There is a real opportunity for Victoria because of its climate, rainfall and soil types. The research and extension capability of DPI is creating more value and more jobs in that area. I am sure the member for Lowan will be happy that those investments are being made in Hamilton and Horsham.

In terms of the other destinations for our products, New Zealand and Indonesia fill the next two ranks. There is a great opportunity in Indonesia, which has 300 million people. A lot of people do not focus on the Indonesian market. I think there are great opportunities to grow our markets in Indonesia. A lot of people talk about New Zealand; New Zealand is a major destination for our food exports, particularly manufactured food and confectionery. A lot of major food brands and manufacturers are based in Victoria and export to New Zealand. Something like 60 per cent of the value of Victorian food and fibre products that are exported to New Zealand are prepared foods and confectionery. Those industries are based in our regional cities and towns. There are great opportunities there.

I will reinforce this: I grieve for Victorians in relation to the 11 years that were lost and wasted because of the former Labor government in this state. There are great opportunities under a Baillieu-Ryan government to enable them to blossom and produce economic activity for Victoria again after 11 long, dark years.

Question agreed to.

STATEMENTS ON REPORTS

Public Accounts and Estimates Committee: budget estimates 2011–12 (part 1)

Ms GRALEY (Narre Warren South) — It is usually the member for Mornington who rises first to speak in

this debate, so it is a pleasure today to speak first about a report from a committee of which the member for Mornington is a member — that is the Public Accounts and Estimates Committee (PAEC). I have spoken on the estimates report a couple of times before, but today I will focus my remarks on the comments of the Minister for Health.

He appeared before the committee and made some interesting comments for which he needs to be held accountable. Since the minister appeared before the committee — and this is in my notes — we have had the benefit of a further 10 months of experience with the Baillieu government's health cuts and what they mean for everyday Victorians. Despite the appearances of government members at PAEC hearings, we have seen a litany of broken promises since that time. A transcript of a hearing involving the Minister for Health shows that the minister spoke very proudly of the centrepiece of the Baillieu government's health policy during the last election campaign — that is, to ensure that 800 new hospital beds would be delivered in its first term of government, 100 of which were to be provided in its first year of government. A year has gone by, and the promised 100 new beds have not been delivered.

Lisa Fitzpatrick, the Victorian secretary of the Australian Nursing Federation, was reported in the *Age* recently as saying:

So far, we've only heard of bed closures.

Honourable members interjecting.

Ms GRALEY — So you do not believe in what nurses say? They do not talk about what happens in hospitals with any authority or due regard? They work hard looking after patients.

The Liberal Party also promised to improve access to elective surgery, yet the data in the *2011–12 Statement of Priorities — Victoria's Hospital System* shows Victorian hospitals will deliver 7751 less elective surgeries for this financial year. That is despite the minister's assurances to PAEC that episodes of elective surgery will increase. Only today the *Herald Sun* carries the headline '1500 hospital beds closed in Victoria' and the article contains a very interesting comment from the government spokesman, who could only say, as if saying it often enough might make it come true, that the government promised 100 beds in the first year. We still do not have them.

The impact of the Baillieu government's broken promises and cuts are very real for people wanting to get into hospital. The lack of investment in health has

forced the downsizing of some of our hospitals — for example, Box Hill Hospital has been forced to close 32 beds. The Australian Medical Association has taken the extraordinary step, which I could hardly believe could happen, of urging people to avoid Frankston Hospital because it has had to close 30 beds this year. If we had been re-elected, Frankston Hospital would have received extra beds last year. However, I do not think the Baillieu government really cares about Frankston; it has broken its promise to deliver 100 beds and Frankston Hospital has received no extra beds.

Members need only visit Casey Hospital in my electorate, because today it was announced that 34 beds there were closed. That is in one of the fastest growing areas of Melbourne, yet 34 beds have been closed. It is the baby boom capital of Melbourne where more babies are being born than anywhere else and yet new cots are not open for our babies. At PAEC the minister had the gall to say that Casey Hospital is at capacity — but how is he addressing that?

Ms Miller interjected.

Ms GRALEY — Yes, we built it. This is the former nurse who spent her time tearing down nurse posters outside her office — it is great to hear from the member for Bentleigh — —

The ACTING SPEAKER (Mr Weller) — Order! The member should resume her contribution on the report.

Ms GRALEY — I urge members to have a look at the PAEC report and see how shamefully this government has let down Victorians, particularly those who are ill, who are looking for the assistance of nurses and doctors, especially in a hardworking hospital performing under pressure like Casey Hospital. I recommend members read the transcripts and see how hollow the promises were from the Minister for Health.

Public Accounts and Estimates Committee: review of Auditor-General's report on access to public hospitals

Mr MORRIS (Mornington) — I rise to address a rather more recent report of the Public Accounts and Estimates Committee entitled *Review of the Auditor-General's Report on Access to Public Hospitals — Measuring Performance*, which I had the privilege of tabling in this house this morning. The functions of PAEC, in the words of the act, include the scrutiny of any proposal, matter or thing concerned with public administration or public finance. They also include a responsibility, as regards the

Auditor-General's office, of playing a consultative role in the determination of objectives for performance audits and the priorities for those performance audits. It is in that light that I comment on the report today.

The subject of the report is access to public hospitals. The Auditor-General noted in his report in 2009 that as access indicators are used to assess hospital performance, consequently they need to be fit for purpose, relevant, appropriate and fairly representative. That earlier report concluded that perhaps none of those objectives were being met. In particular it noted that there were systemic problems with the access indicators, that there was limited usefulness, that it was not possible to assure the accuracy of the actual results from particular hospitals and that, while most of the indicators were relevant, the appropriateness of some of the benchmarks and some of the targets required at the very least further justification. Members would have to say that in terms of audit outcomes, to put it politely, that report was adverse.

The chair of PAEC noted in his foreword to the current report that the committee considered that as a result of the Auditor-General's review, substantial remedial action was required. We determined it was appropriate to revisit that report to consider the outcomes that had been achieved to date. Towards the end of last year we conducted some hearings to establish progress. In that regard the committee was assisted by the presence of the Auditor-General and some of his senior staff, and so we were able to test the evidence from the public service members who appeared against the Auditor-General's background information and views. The report makes 10 recommendations for consideration by the government. It addresses the background issues. It then follows the principles which were set out in the Auditor-General's report relevant to the indicators, the appropriateness of the indicators and the fair representation aspects.

In the time remaining to me I will focus on the background factors, because there have been a number of changes since the report was completed. At the outset I note that had we conducted this review at the end of 2010, the outcome would have been very different, because, apart from some fiddling at the edges and some changes to the departmental structure and an attempt which appears to have achieved some success to improve data integrity, not much had happened. However, since then, I am pleased to say, the Minister for Health has released a document entitled *The Victorian Health Priorities Framework 2012–2022*. It has established a number of priorities, which are listed at page 5 of the report and are well known to members. The priorities established are

directly related to the issues raised by the Auditor-General in his report, and I commend the government for the action it has taken in that regard. It is sad that such action was not taken earlier.

In June of last year the government introduced a new expanded performance report known as the *Victorian Health Services Performance Report*, which is now published quarterly. I commend the minister on taking that step. Another factor that needs to be considered is the introduction of the national health reform agreement. While supportive of the intentions of this agreement, the committee is very much aware of the need to ensure that the government is not diverting resources that could be directly applied to the care of patients in order to fund the bureaucratic machine in Canberra. I am sure the Parliament is aware of my views on the growing trend of the federal government moving in to take over what should be state responsibilities. I draw to the attention of members recommendation no. 1 of the report and the need to be proactive in this regard.

This is an excellent report. We are well on the way towards improving what was a terrible situation, and I commend the report to the house.

Public Accounts and Estimates Committee: budget estimates 2011–12 (part 1)

Mr McGUIRE (Broadmeadows) — I rise to comment on the Public Accounts and Estimates Committee's report on the 2011–12 budget estimates, part 1, tabled in June 2011.

In relation to the hearings involving the Department of Planning and Community Development, which related to the local government and planning portfolios, I note that it was reported on page 87 of the report that:

Key matters raised at the budget estimates hearing included a standard question on the impact of predicted population growth on the budget for this portfolio ...

I draw to the attention of the house that the Minister for Planning, in his testimony before the committee, said that a number of towns in growth areas could benefit greatly from targeted growth and government support for that growth. This is the key issue I want to address.

My electorate of Broadmeadows has been identified in several of the government's own policy documents, including its metropolitan health plan, as being one of the fastest growing areas in the state. For areas of entrenched disadvantage such as Broadmeadows, a critical area of government support is service delivery. Broadmeadows has suffered from a lack of social

infrastructure and coordinated service delivery for generations, and this was the historic failure of the Bolte and Hamer governments, a point related to me by a former long-serving head of the Premier's department, Major-General Ken Green, on his retirement. The critical failure was the lack of coordination at even one tier of government to deliver rudimentary government services.

During the Cain government the infrastructure to help make the electorate safer was established, and the Bracks-Brumby era delivered a renaissance. The Global Learning Village model that I founded as a creative response to the failures of the past coordinated the three tiers of government, the business sector, the community and the philanthropic sector. Nine years ago this model delivered the first public library in Broadmeadows, a maternal and child-care centre in Meadow Heights and, in partnership with Microsoft, Intel and Cisco Systems, the ideasLAB, which uses each new evolution of technology for teaching and learning. This is a critically important advance to help this community use education, innovation and technology to help move from muscle jobs to the smart jobs of the future. There are only two ideasLABs in the world: one is in London and the other is in Broadmeadows.

The former Labor government's commitment of \$60 million to a regeneration program for schools is already delivering results. The aim of that government's leadership and vision was to help make cultural, generational and systemic change. This week's *Four Corners* program highlighted the improvement in results on the national stage. The next critical evolution is a government services building. Labor committed to delivering it. The Baillieu government recognised the need for it and supported it. That commitment was defined in black letters in the first Baillieu budget, in which the government made a commitment of more than \$17 million. This was greatly welcomed in Broadmeadows. This government services building is important because it is transformational. It will allow the community to take the next necessary steps to provide white-collar jobs and will raise aspirations and provide new career paths. It will provide between 600 and 800 jobs in an area of high unemployment, particularly youth unemployment.

The designs for the building have been approved by the Department of Planning and Community Development. The money has been allocated in the budget. So why are we still waiting? The building should be half completed by now. This critical piece of social infrastructure would house the Department of Education and Early Childhood Development, the Department of Human Services, the Department of

Justice and other services. Centrelink would also join as a partner. Here is an example of how we have improved service delivery with a coordinated strategy, which is a far cry from the bad old days. To help ensure that the building is completed, I have lobbied for my electorate office to be relocated to it as a long-term tenant. In the spirit of bipartisanship I welcome the Minister for Planning to join me as a cotenant. I formally invite him to do so to back up his words about the need for government action to help service delivery in growth areas.

However, here is the rub: no-one can get a straight answer out of this government on whether this project will proceed. All requests for confirmation of the start time are being answered with the sound of silence. The Baillieu government's lack of decisiveness has already had a detrimental impact on private sector investment. As everyone who has run a business knows, business craves certainty. All this government has delivered is uncertainty. In an attempt to bring this decision to a head, last week officials from the City of Hume met with the head of the department in charge of this project, but he could not predict the project's future. The sinking feeling is that the coalition is yet again going to dud Broadmeadows. This queasy feeling is rising from the pits of the stomachs of people across Victoria from business to Broadie.

Increasingly Victorians are feeling that they are being duded. It is time for the government to put up or shut up on this project. It is time for it to let us know if it is going to deliver. This is no longer about paralysis by analysis — we want to know. Government ministers should come to Broadmeadows, face the people and tell us.

Drugs and Crime Prevention Committee: violence and security arrangements in Victorian hospitals

Mr McCURDY (Murray Valley) — I am pleased to rise to speak on the Drugs and Crime Prevention Committee's inquiry into violence and security arrangements in Victorian hospitals. As we all know, violence has been growing in our communities. Certainly there have been increased rates of domestic violence, violence in pubs and clubs, and violence on all our public transport. There is simply no excuse for this.

This inquiry's terms of reference required the committee to focus not only on violence in Victorian hospitals generally but also, more importantly, on violence in emergency departments, because the government believes that doctors, nurses and all those

involved in these front-line services need to be safe. That is unquestionable. The committee visited metropolitan hospitals not just in Victoria but also in Western Australia and New South Wales. We also spoke with regional hospital representatives. I took the time to engage with local hospital representatives in my electorate. I visited the hospital in Wangaratta, where I met with Margaret Bennett and her team, and I met with Craig de Lacy at Cobram District Hospital. This made me confident that what we were hearing in the metropolitan hospitals and more broadly was representative of not only the big hospitals but also what is happening in our local communities.

A key part of this inquiry and our discussions was security arrangements and the appropriateness of protective services officers (PSOs) being employed by hospitals and emergency departments. The overwhelming response — in fact the response of 100 per cent of the people we spoke to, including doctors, administration staff and front-line nurses — was that there is no place for guns in hospitals. It was generally acknowledged that the current security arrangements are on the whole acceptable. As in all community services, there is always room for improvement. Changes can be made, and hospitals and health services are continually working to create a safe working environment.

I turn to our key recommendations. We have recommended that PSOs should not be employed in hospitals or health services. We have recommended that hospitals should be encouraged to form security and aggression management committees. This is to ensure that there is representation of all staff — from the chief executive right through to the medical team and the allied staff — because security is not just a job for the security staff; it is a job for all staff in the health services. We have recommended that security staff should not carry firearms, capsicum spray or tasers.

Our committee endorsed the final report of the Victorian task force on violence in nursing and recommended that a standardised code should be adopted — code grey for violent behaviour and code black for an armed threat. We found that St Vincent's Hospital Melbourne appears to have an excellent model.

We have recommended that the Victorian Department of Health review security requirements in small and rural hospitals, because some of those hospitals do not qualify for emergency department funding. In my electorate the hospitals in Numurkah and Yarrawonga could fall into this category. Like other health services they deserve to have a safe environment, but they do

not fall into the category that attracts emergency department funding.

In all, our report made 39 recommendations, but clearly the ability to de-escalate situations is a key driver, whether the situation involved a stressed parent who has been in the waiting room for 3 hours with their five-year-old child or an elderly man waiting for his wife to be cared for. De-escalation and the manner in which hospital or health services staff handle these situations is of paramount importance. The system is not perfect, but on the whole most emergency departments have steps in place.

A health service is not an example of a place where zero tolerance is the answer. In hospitals there may be people with mental health issues or dementia. Not everybody who attends emergency departments is of clear mind; in fact the situation can be quite the opposite. On many occasions they are stressed and irrational, but that is no excuse for violence in emergency departments or hospitals.

I am pleased to say that our committee functioned very well. I would particularly like to acknowledge the work of our staff, who are in the gallery today — Sandy Cook, Pete Johnston and Danielle Woof in particular. They worked tirelessly on our committee according to time lines that we had to reel in as the months went on. I want to acknowledge their support and the common goals we shared as MPs.

Drugs and Crime Prevention Committee: violence and security arrangements in Victorian hospitals

Mr BATTIN (Gembrook) — I rise today to speak on the Drugs and Crime Prevention Committee report, *Inquiry into Violence and Security Arrangements in Victorian Hospitals*. Following on from the member for Murray Valley, I would also like to thank the staff of the committee; they did a wonderful job, and it was fantastic working with them. Some of the time lines were restrictive, but we managed to get the report tabled on time last year.

This report allowed the committee to review, with many experts in the field, the current risks and practices associated with security around our hospitals. It was a privilege to see the work that many in our health networks do to ensure the safety of staff, patients and family members who attend hospitals for a variety of reasons.

The focus of the committee was to make recommendations to improve security in hospitals while

focusing on the issues associated with this setting. At all times the committee had to understand the position of some of the people within hospitals — and they can be particularly volatile places. At any time staff can be dealing with parents who have high expectations for their children, patients presenting with mental illnesses, families grieving after being informed that they have lost a relative or friend, drug and alcohol-affected people, and some who are just angry at the world and who feel that a local health worker is a good target.

The recommendations the committee has presented are well considered, taking into account a variety of views and acknowledging that there will never be a one-size-fits-all program or policy for security across our state. The report recommends that the recommendations of a previous report, *Victorian Taskforce on Violence in Nursing — Final Report*, be implemented and that an evaluation of that report be completed within 12 months of implementation. It is vital to protect all who attend our hospitals, and evaluation is the only option that would ensure that the implementation of those previous recommendations is completed.

The terms of reference stipulated that the committee was to investigate the possibility of introducing Victorian PSOs (protective services officers) into our hospital emergency rooms. It was difficult to find evidence to support this measure, as PSOs are currently armed. There is no precedent in Australia for having armed officers in hospitals.

Health workers in emergency departments expressed views on security, and various ideas were put forward for the committee to consider. These related to whether officers would wear full uniform or more casual attire with the word 'Security' displayed on their clothing, the location of officers within hospitals and the issue of private contract versus full-time employees. One common focus was the need for all security personnel to be trained to deal with all levels of patients. Some hospitals interstate and in Victoria already have high levels of training for security personnel in dealing with patients, family members, persons presenting with a mental illness and drug and alcohol-affected patients. There are other recommendations that will need consideration in the future. These relate to but are not restricted to capital works, consultation with staff, personal alarms, reporting and the training of nurses during the education phase of their career.

There were repeated calls for hospitals to develop local strategies to manage violent behaviour. Some organisations spoke of establishing banning notices, patient contracts and warning systems for patients and

visitors to hospitals. The committee believes that each hospital should have the ability to make decisions on these issues at a local level. Banning a patient, no matter what the circumstances are, can have risks for the patient and for the community around the hospital. All those who made submissions said no patient should be refused treatment should they require urgent and immediate attention.

The committee recommends that local hospital boards of management and executives promote a message that they will not condone violence of any level. A message focusing on a principle of no violence needs to be sent via promotional material to all who visit hospitals. Some governments send this message via a zero tolerance approach.

Many staff in hospitals in Victoria and interstate recommend increasing consultation with staff on the floor prior to establishing policy or capital works changes. It was mentioned in the hearings that some facilities which opened in the last few years have security issues that would never have occurred had staff who work on the floor been consulted. When planning for future hospitals or for any other health facility a discussion with a couple of health workers may prevent an area becoming a security risk in the future.

I thank all members and staff of the committee for what we have put forward. I think the main recommendation relates to the PSOs. We must also make sure we understand that there is no one-size-fits-all solution. Each hospital, whether regional, rural or metropolitan, has to put forward a plan to protect its staff. The main concern of hospital staff and members of Parliament is to ensure the safety of the staff, visitors and patients of every hospital in Victoria.

Public Accounts and Estimates Committee: review of Auditor-General's report on access to public hospitals

Mr ANGUS (Forest Hill) — I am very pleased to rise this afternoon to speak on a report by the Public Accounts and Estimates Committee that was tabled earlier today in this place, and that is the *Review of the Auditor-General's Report on Access to Public Hospitals — Measuring Performance*. The member for Mornington spoke eloquently about this earlier.

If we look at what has given rise to this report, we can see that it was the result of some work by the Auditor-General on access to public hospitals and measuring performance. I commend this report to members and indeed to the broader community, because it is a very good piece of work that follows up

on the Auditor-General's report and provides a range of recommendations.

I want to step back for a moment and look at what the Public Accounts and Estimates Committee does. It is a very important committee of this Parliament. It carries out investigations and reports to Parliament on a whole range of matters, particularly financial matters, relating to the state. We are charged with inquiring into and reporting back to the Parliament on a range of matters. They include any proposal, matter or thing concerned with public administration or public sector finances, the annual estimates or receipts and payments and other budget papers and any supplementary estimates of receipts or payments presented to the Assembly and the Council. Of course that is the main function of the committee: dealing with the budget of the state. It goes on to refer to any proposal, matter or thing which is relevant to its functions and which has been referred to the committee by resolution of the Council or the Assembly or by order of the Governor in Council published in the *Government Gazette*. That is the first part of the role of the Public Accounts and Estimates Committee.

We also have a number of statutory responsibilities, and they relate to various things, including the appointment of the Auditor-General; considering the budget estimates, as I have already said; reviewing the Auditor-General's draft plan; and a range of other things. Therefore the Auditor-General's office is an office with which we work very closely, and that office often gives rise to the matters that we as a committee deal with.

Turning to the particular report at hand, I might say that we have three members on this side of the house speaking on committees because the other side could not put up another member. It is interesting that opposition members do not have the interest we have in relation to the very important committees within this place, which is a fairly ordinary situation. But as government members we will grab with both hands the opportunities given to us to speak on the committees and the valuable work they do for the Parliament. Looking at the structure of the report we can see it has a number of chapters. As well as the background to the committee's inquiry, which emanated from the Auditor-General's previous work, there is some analysis in chapter 2 in relation to the relevance of access indicators. Chapter 3 deals with the appropriateness of access indicators and public reports and goes through a range of matters in relation to that area. Chapter 4 is entitled 'Fair representation of performance against access indicators'.

As the member for Mornington mentioned, there were a range of problems in this area. That has been well identified by the Auditor-General in the very good work he and his team have done previously, so it was opportune for our committee to follow up on that work and to identify and provide some recommendations that can go quite a way to resolving some of the challenges and problems that surfaced. This report contains 10 recommendations. In closing I refer to recommendation 1, which states:

The Department of Health continues to match the national work under way to identify avenues for rationalising the collection and reporting by hospitals of performance data with its own initiatives at state level ...

I do not have time to go through them all, but they are very good recommendations. They are concise, and I take this opportunity to commend the report to the house.

PORT MANAGEMENT AMENDMENT (PORT OF MELBOURNE CORPORATION LICENCE FEE) BILL 2011

Second reading

Debate resumed from 7 December 2011; motion of Dr NAPHTHINE (Minister for Ports).

Mr PALLAS (Tarneit) — I rise to speak on the Port Management Amendment (Port of Melbourne Corporation Licence Fee) Bill 2011. In so doing I indicate that the opposition will be opposing this bill on a variety of grounds. Firstly, we oppose the bill because the government has no mandate for the introduction of this big new tax. I refer to it as a big new tax because that is the language that was applied by the now Minister for Ports when he sought to oppose the freight infrastructure charge (FIC). It does not get bigger than this: it is a 50 per cent increase on every charge on every user in the port of Melbourne, whether you are an exporter or whether you are wanting to use wharfage or stevedoring facilities. It is a big new charge on every opportunity in the supply chain so far as it interacts with the port, and that will have not only a compounding effect but also a trickle-down effect right across the state.

When the Victorian Farmers Federation indicated its concern that the government had not expressed its views about the FIC — which admittedly it did not like, but it at least acknowledged it was being directed towards infrastructure in this state — it said it was calling upon the government to declare its position. It relied upon the observations by the Victorian

Employers Chamber of Commerce and Industry, which had said:

‘Since their election, we have asked the coalition to act on their opposition to the charge and rule it out — this has not yet happened’ warns Mr Kayler-Thomson.

The VFF went on in its press release to say:

Agriculture is export reliant and needs low-cost and efficient supply chains to compete internationally. The introduction of an export tax will threaten this competitiveness.

You could not think of a more broadbased, ham-fisted, blunt instrument than what has been proposed by the government. It effectively proposes to increase by 50 per cent the charging regimes available to the port in order for it to meet its licence fee obligations to the state. This blunt instrument is a brutal way of doing nothing more than lining the government’s coffers, because there is not one word in this legislation about the government’s commitment to effectively apply it to particular infrastructure projects. All we are told is that this new tax, which will be applied right across the board, will be used to fund the government’s vision.

I hope it is not a performance-based tax, because if it is, nobody should be entitled to pay anything. This government has no vision unless that vision is to raise a tax. We question the government’s reason for introducing the licence fee, given that prior to being elected it objected to the freight infrastructure charge. It promised no new taxes. Who can forget the Premier’s words on 17 November to the Liberal Party faithful? He said, ‘No job losses. No new taxes. No cuts in services’. How are those commitments standing now? This government has been exposed for the opportunistic, cynical, tax grabbing, job cutter that it is. The government gave certain commitments. It said it hated the FIC and that it would not introduce new taxes. So where is the obligation to introduce this tax? What we hear from the Minister for Ports is that he had no choice, that his hands were tied. It is good to see the minister now in the chamber — —

Dr Napthine — Yes. Getting rid of your terrible tax.

Mr PALLAS — Yes, and it only gets worse from here, Minister. Here we have a government coming into this place and proposing to introduce an alternative to the big new tax — and it is a big new charge on anybody and everybody who uses the port. Could members imagine anything more tawdry? The minister says, ‘I could not help it. Our hands were tied’. He says, ‘The former government was proposing to introduce an FIC’. The FIC was not in place. The government did not have to put it in place.

Dr Napthine — So you weren’t going to do it?

Mr PALLAS — Yes, of course we were going to do it. We stood up and said to the people of Victoria, ‘You get to vote. We are proposing to put in place the freight infrastructure charge to apply \$38 billion to an improved transport system plan of which \$1 billion would be raised by the FIC’. Now the minister says he would like to see a much greater hypothecation of charging to transport outcomes. Where is it? Where does this bill provide for hypothecation of revenue to transport outcomes? It is there to fund the government’s vision. It is a bit like trying to provide glasses to a blind man to fund his vision. In this case it is providing the government with revenue without any infrastructure that would associate with it.

We also highlight that the effect of 50 per cent increase in charging the users of the port will be to replace the charge for a purpose with a 50 per cent increase right across the board on all users.

The opposition believes this bill could be improved if the government were serious about — —

Dr Napthine interjected.

Mr PALLAS — Yes, we will be opposing it, absolutely. If the minister had bothered to comply with his ministerial responsibilities and had been here to hear the opposition, he would know we opened with that. The opposition will be opposing this bill because it breaches the government’s mandate of no new taxes. Of course the opposition will be suggesting that if the government is serious about transparency and the integrity of the charging process, while the bill is being debated in the Assembly it should look at putting systems in place that will provide safeguards against overcollection — that is, sunset provisions.

Members should remember that the minister said, ‘My hands are tied. I have to raise this tax because the previous government foreshadowed that it might raise the tax. It is in the forward estimates’. Forward estimates last for four years, whereas this is a tax that goes on forever. Where is the sunset provision? No, this is a tax grab, make no mistake — this goes on forever. The government is clearly and blatantly raising a tax that it itself said it opposed. This is a greedy, visionless tax grab without any agenda whatsoever. Where is the business impact statement? Where is the regulatory impact statement for this bill? The government will not make it available to the opposition. The government will not make it available to the community.

The practical effect of that is to deny an appreciation of how this bill will affect jobs. We know what is happening with jobs, do we not? There have been 100 new jobs in 12 months of this government, 9000 less people in employment and the participation rate is continuing to decline — 30 000 Victorians have walked away from the labour market while this government has been in power. What an atrocious record, and this bill will do nothing to improve it. The bill does not even seek to supplement the government's vision for taxing people with a vision for creating infrastructure that will grow jobs. It is just about money. This is a big taxing, small vision government. Never before in the history of taxation has so much been paid by so many for so little.

This bill essentially seeks to impose a licence fee in place of the charge Labor proposed but never enacted or raised — the freight infrastructure charge. The annual port licence fee to the state, to be paid by the port of Melbourne, will be set at a starting rate of \$75 million, commencing on 1 July 2012. Further, the port is liable to pay a port licence fee each financial year. The calculation of the port licence fee is set out in new section 44J, which is inserted by clause 5, which uses an all-groups index for consumer price index adjustment. The actual licence fee resulting from the calculations is payable by the Port of Melbourne Corporation in quarterly instalments. The minister must issue a fee notice to the port on or before the first day of the financial year, effectively specifying the amount payable for that year, being the port licence fee, the amount payable on quarterly instalments and also the date the payments are due. Somewhat superfluously, given that in new section 44L(2)(b) the minister must also specify the time frame, new section 44L(3) directs the port to pay the licence fee quarterly instalments within 30 days of the preceding quarter.

The Port of Melbourne Corporation's recently released 2010–11 annual report shows that it paid a dividend to the state of \$13.4 million. It also invested an extra \$26 million in capital projects, in its words 'to ensure the port of Melbourne remains an efficient maritime logistics hub, now and for future trade growth'. That is at page 7 of the annual report.

A number of issues arise from these provisions. Firstly, we are told that the port licence fee is in addition to any normal dividends paid by the Port of Melbourne Corporation to the state, so the port will be operating under this additional and onerous charge. The first point we want to make is that if the port is required to raise these charges, then the government should transparently identify the charges, when they are listed, to the shipping industry, to the stevedores and to the trucking

industry as charges that are effectively there as a consequence of the government's desire to raise revenue. The port is not obliged to specify which charges will be adjusted and by what amount to give effect to its port licence fee obligations. Essentially we have a situation where a government has simply said, 'Give us \$75 million. We will adjust it year on year for inflation, and we don't care how you do it'. Has there ever been a government that has abrogated its responsibility for the charges that it puts in place and the obligations that those charges have upon the effective functioning of industry?

The ACTING SPEAKER (Mr Weller) — Order! Now would be an appropriate time to break for lunch. The member for Tarneit will have the call when debate on this bill resumes.

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

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Alcoa: Point Henry smelter review

Mr ANDREWS (Leader of the Opposition) — My question is directed to the Treasurer. I refer to today's announcement by Alcoa that it will be reviewing the future of its Point Henry aluminium smelter in Geelong, which directly employs more than 600 people, while some 1800 people are indirectly employed throughout the region. I ask the Treasurer very simply: what steps is he taking to ensure that these jobs stay in Geelong and indeed stay in our state?

Mr WELLS (Treasurer) — I thank the Leader of the Opposition for his question. The government has been informed of the decision by Alcoa to review its operations at the Point Henry smelter in Geelong. Alcoa's review is expected to be completed by the end of June. I noticed in its press release that Alcoa has looked at a combination of issues. The high Australian dollar and the low international prices for aluminium are behind the call for the review. This comes at the time of Rio Tinto's announcement that it will also be looking to sell its Australian aluminium assets. It also comes after Norsk Hydro announced it would be reducing output at its Kurri Kurri smelter in New South Wales by about 30 per cent. Clearly there are issues with Australia's aluminium sector at a time when we have a high Australian dollar and low international prices. It is a major challenge, and of course we have the issue of the carbon tax.

Honourable members interjecting.

The SPEAKER — Order! An outburst like that is not much appreciated, and waving around pieces of paper is not a smart way to go. I ask for silence.

Mr WELLS — As I was saying, this must be the worst possible time to introduce a carbon tax. The last thing a manufacturer needs — —

Mr Andrews — On a point of order, Speaker, the question related to the actions the Treasurer was going to take. He has not detailed any of those yet. The media release from Alcoa makes it very clear that a future carbon tax has nothing to do with this decision. It is black and white from the company itself. The question was about what this Treasurer is doing, and he ought to detail that.

The SPEAKER — Order! I have heard the point of order. I do not uphold it; the Treasurer has only been going for a minute.

Mr WELLS — I refer to the Alcoa media release. It says:

The present situation is a result of low metal prices, a high Australian dollar, and input costs. The future price on carbon — —

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition has asked his question.

Mr WELLS — I refer the Leader of the Opposition to the press release he has. In the last paragraph it says:

The future price on carbon would be an additional cost ...

Mr Andrews interjected.

The SPEAKER — Order! The Leader of the Opposition is on a warning.

Mr WELLS — In addition the Premier has asked the Minister for Manufacturing, Exports and Trade, the Minister for Energy and Resources and the Minister for Regional Cities to engage with the company and the local community while Alcoa undertakes this review.

Ports: performance

Mr KATOS (South Barwon) — My question is to the Premier. Can the Premier update the house on how Victoria's major ports are continuing to perform strongly for both the Victorian and the national economy?

Mr BAILLIEU (Premier) — I thank the member for South Barwon for his question. Our ports are the

gateway to the world for Victoria. From the settlement of this state in the first instance, the port of Melbourne has been absolutely critical to the economic future of this state. The port of Melbourne is Australia's largest container port, with more than 35 per cent of Australia's container trade, and each year the port's trade exceeds \$80 billion. Activity at the port contributes up to \$2.5 billion annually to the national economy, and activity at the port creates approximately 14 000 direct and indirect jobs. The port experienced record trade during 2010–11 — record trade — with 3300-plus ships visiting, port trade of more than 79 million revenue tonnes and nearly 2.4 million 20-foot equivalent units for the year.

The port of Melbourne is critical to the future of this state. In the current financial year the total container volumes have already increased by more than 9 per cent. The port of Melbourne is flourishing. There is growth at the port of Melbourne, and there is future growth that has to be planned for. That is what the government is doing.

But it is not just the port of Melbourne; likewise, the port of Geelong is generating more than \$350 million for the Victorian economy per year, with flow-on effects for the Barwon region. The port of Geelong supports more than 1300 direct jobs, and there are flow-on effects for the Barwon region. Grain exports in 2010–11 increased 40 per cent compared with the previous year, due of course to the break in the drought. The port of Portland is delivering more than \$1.5 billion in economic value to the state each year and supporting over 500 direct and indirect jobs. Just over 4 million tonnes of goods passed through the port of Portland in 2010–11, and in July 2011 the port celebrated exporting its 1 millionth tonne of mineral sands.

The ports that we have in Victoria are critical to the future of this state. The previous government proposed a truck tax, which was opposed by the industry — —

Ms Green — On a point of order, Speaker, the Premier appears to be reading from a document. I ask that he table it in the house, so that the house can establish whether it is not a possible parliamentary question from 2010.

The SPEAKER — Order! I have been watching the Premier, and I do not believe he was reading from a document.

Mr BAILLIEU — Our ports are critical. The previous government imposed a truck tax. That was not supported by the industry. It was clumsy and ineffective, and it was going to be very costly. When

we came to government, and indeed beforehand, we proposed a replacement of that clumsy tax to be effective. It would be a disaster if the funds that were due through that licence fee — —

Ms Thomson — On a point of order, Speaker, I just wanted to be a little bit careful about whether we are heading into a debate that is currently before this house and whether or not it is appropriate for the Premier to be answering this question in this way.

The SPEAKER — Order! I believe it is appropriate that the Premier is answering the question.

Mr BAILLIEU — I was simply making the point that it would be a disaster if anybody opposed what is supported by the industry, which is a shift to a new regime. But there are some people in this state who do oppose it.

Honourable members interjecting.

Mr BAILLIEU — They are on their feet now — —

Mr Pallas — On a point of order, Speaker, on the issue of relevance, the Premier has indicated that the industry supports his 50 per cent charge on every user of the port. The shipping industry does not, the Victorian Employers Chamber of Commerce and Industry does not — —

The SPEAKER — Order! I do not uphold the point of order. I ask the member for Tarnait to understand that if he is going to raise frivolous points of order and stop the flow of business in this house, I will order him out of the house. That goes for other members as well. The Premier has concluded his answer.

Youth: unemployment rate

Mr ANDREWS (Leader of the Opposition) — My question is to the Minister for Youth Affairs. I refer to the government's family statement, which is almost a year old and which claims:

... the numbers are not all positive. Youth unemployment was around 12.5 per cent in December 2010, significantly higher than the rate for the total labour force ...

I simply ask the Minister for Youth Affairs: what is Victoria's current youth unemployment rate?

Mr R. SMITH (Minister for Youth Affairs) — I do not have that number with me. I would be happy to bring it with — —

Honourable members interjecting.

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

Mr R. SMITH — I would be happy to, if the Leader of the Opposition is unable to look up the figure himself, which is a matter of public record — —

Mr Andrews interjected.

Mr R. SMITH — Excellent! Then I do not know why he is asking the question. What I would like to say on this issue — —

Mr Andrews — On a point of order, Speaker, 21.1 per cent is the answer. But if the minister is unable to answer it, he should resume his seat, not take an opportunity to abuse me or anyone on this side of the house.

The SPEAKER — Order! The Leader of the Opposition is on his second warning. That was not a point of order, and once again it stopped the flow of business.

Mr R. SMITH — What I would like to say on the matter is that instead of taking cheap political shots, maybe the opposition should be talking about the great programs that the youth portfolio is supporting. Grants totalling \$12.3 million have gone out to 102 organisations to support youth getting skills, to support youth social enterprise and to support kids, making sure they are in the position to — —

Mr Andrews interjected.

The SPEAKER — Order! I am not going to warn the Leader of the Opposition again.

Mr R. SMITH — This government is making sure that kids are in a position to choose alternate pathways and that they are skilled enough so that youth unemployment goes down, which was callously overlooked by those opposite when they were in power — —

Honourable members interjecting.

The SPEAKER — Order! I do not know how many times I have to get to my feet to warn the members of the house to come to some sort of order. That goes for the Leader of the Opposition, the deputy leader and other members on that side of the house as well as members on the government side of the house. I ask members to come to order and to show some respect to the house and to the minister who is giving an answer. The next one will be out.

Mr R. SMITH — Speaker, this government is about supporting youth to make sure that youth unemployment is not an issue going forward and to make sure that young Victorians are skilled and can choose pathways — —

Honourable members interjecting.

The SPEAKER — Order! The Deputy Leader of the Opposition is on a warning.

Mr R. SMITH — We will make sure young Victorians can choose pathways that are appropriate for them, and we will make sure they have every opportunity to go forward. This government is about supporting youth participation and making sure young people have an opportunity to contribute to their communities through volunteering. We are making sure that we — —

Honourable members interjecting.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Eltham

The SPEAKER — Order! The member for Eltham has been warned. He is out for half an hour under standing order 124.

Honourable member for Eltham withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Youth: unemployment rate

Questions resumed.

Mr R. SMITH (Minister for Youth Affairs) — This government is about making sure that young Victorians have an opportunity to be mentored in their community. All this comes together. Instead of bringing up statistics that are easily found in the public domain, the opposition should be supportive of the programs that have been put in place by this government to make sure that young Victorians are supported in a way that the former youth affairs minister never bothered with. Unlike that minister, who put out motherhood statements over his term as minister, this government is about action and supporting young people as they should be supported.

Police: numbers

Mr BATTIN (Gembrook) — My question is to the Deputy Premier, the Minister for Police and Emergency Services. Can the Deputy Premier outline to the house the government's progress in delivering record numbers of front-line police to protect Victorian families in their homes, on the streets and on public transport?

Mr RYAN (Minister for Police and Emergency Services) — I thank the member for his very good question and its timeliness, and I congratulate him on the great work he is doing in his own electorate in relation to these important issues. The coalition government is building Victoria's front-line services by employing record numbers of front-line Victoria Police members and likewise employing Victoria Police protective services officers. The whole purpose of this, of course, is to make Victorians safer in their homes, on their streets and when travelling on the public transport system.

I must say it is a long way back; we all know what happened over 11 years of the Labor government. People here in Victoria will never forget that after 11 years of the previous government our state was left with the lowest number of front-line police per person of all the states in the Australian nation. We all know who was oversighting that debacle at the time the last government lost its way and was defeated. None other than the now Deputy Leader of the Opposition was the police minister. We all know who was running it — and to think those opposite have elected him to this role now. What a farce.

While the public service was ballooning out at 5 per cent a year, Labor's chronic underresourcing of front-line services saw Victoria Police recruitment numbers barely meeting attrition. As a result we saw the growth of violent crime, including street violence and antisocial behaviour. These were all features of what dominated the situation when Labor was in government. This is another instance where the coalition government is fixing a Labor problem. We are recruiting and deploying 1700 front-line operational police. We are also recruiting and training the 940 protective services officers.

I just want to say to the house that there has never been a better time to join Victoria Police and be able to have a great career in time to come. If ever you want to go somewhere and see things really hopping, get out there to the academy and see the wonderful work police are doing in the recruiting and training of these additional police officers. So far the coalition has delivered — in 2010–11 — 450 of the promised additional front-line

officers. In 2011–12 another 125 police have been allocated so far. Another 275 will be on the beat by mid-2012. That means that by the middle of this year we will have another 850 front-line operational police out there and will be halfway towards our target of 1700 by November 2014. This of course is backfilling the chronic shortages left by Labor. The Ballarat *Courier* editorial of 12 January — —

Mr Andrews interjected.

Mr RYAN — I hear the interjection from the Leader of the Opposition. He says they love me! I will read out the editorial:

The announcement from Minister for Police and Emergency Services Peter Ryan that our city will receive the majority of the 22 extra police allocated to the division 3 area follows an influx of senior officers following the election of the coalition government in 2010.

The editorial further says:

It's recognition that the government and Victoria Police are listening to local residents' concerns about safety on our streets and in our homes, which have, unfortunately, been borne out in a very public manner in recent years.

You will remember, Speaker, that that was when police were marching on the office of the local member in Ballarat in relation to these issues.

Importantly, satisfaction with police services has gone up to 74.4 per cent from the 65.4 per cent it was under Labor. It is a great success story and great for all Victoria.

Employment: government policy

Mr HOLDING (Lyndhurst) — My question is to the Treasurer. I refer to the Treasurer's statement on 4 May 2011 that the government has a job creation target of between 50 000 and 55 000 jobs every year until 2015. Given that the Australian Bureau of Statistics data shows that in fact just 100 jobs have been added to the Victorian economy since this government came to office, I ask: will the Treasurer guarantee to the house that his job target will be met?

Mr WELLS (Treasurer) — I thank the member for Lyndhurst for his question. The reality is that unemployment in this state is at 5.2 per cent. That is the second-lowest rate in the country. We need to look at the priorities of the government and the strategies it is putting in place with respect to jobs. The first thing is that we have to make sure we have a strong financial system and a strong financial plan to make sure that we increase those surpluses to make sure that we reduce debt to make sure that we retain the AAA credit rating.

As a result of the budget update we will have \$2.5 billion in surpluses over the forward estimates. We have, however, to go further.

The next step is to continue the good job the government is doing with respect to boosting productivity. We have made a commitment to boost productivity, and the first part of that is to cut red tape by 25 per cent. One of the recent examples of that was when the Minister for Planning made announcements about cutting red tape in the bulk goods sector, which will create jobs. It is also about having better industrial relations, making sure we have responsible occupational health and safety and making sure we get an increase in skills. That is important. We have a record amount of investment in skills — which as I said is important — of \$1.2 billion this year.

Obviously, to continue further, we have to make sure that we have high productivity in regard to infrastructure. Already we have regional rail — a significant project — and road upgrades, and we are continuing. We also have — —

Mr Holding — On a point of order, Speaker, loath as I am to interrupt the Treasurer in this painful performance, the Treasurer was asked whether or not he is going to meet his employment target. So far he has not given any indication as to whether or not he is going to meet the employment target that he outlined in this chamber in May last year. I ask the Treasurer to address the question.

Dr Naphine — On the point of order, Speaker, the Treasurer is being very relevant to the question. He is outlining very specifically the plans, the strategies and the economic parameters that will deliver the jobs that are required. That is what the Treasurer is doing. Clearly the failed former minister for finance has got lost on this issue and simply does not understand that you need to have good economic management to deliver jobs. The Treasurer is being relevant — —

The SPEAKER — Order! I have heard enough of the point of order. I do not uphold the point of order, but I do ask the Treasurer to return to answering the question.

Mr WELLS — With regard to the jobs plan by the government, I have outlined the issue of strong finances, improving productivity, growing Victorian business — it is absolutely crucial for ministers to be getting overseas to India and China and attracting business — and of course assisting industry restructuring. I might also point the member for Lyndhurst to the budget update. I am not sure whether

he read the budget update, but at page 13 it has figures that relate to employment over the forward estimates period.

Retail sector: government policy

Ms RYALL (Mitcham) — My question is to the Treasurer. Can the Treasurer update the house on recent data relating to retail trade in Victoria?

Mr WELLS (Treasurer) — I thank the member for Mitcham for her question and for her interest in the economy. On Monday the Australian Bureau of Statistics released the retail trade figures for December. They show that Victoria’s retail trade over 2011 grew by 2.6 per cent. That is the second highest of all the states, behind only Western Australia. There are obviously significant challenges facing the retail sector, including cautious consumers, online sales and the impact of the federal government’s industrial relations policies. The outlook is subdued at best, and we will be monitoring the retail trade figures over the coming months.

The figures released on Monday showed that the Victorian economy, despite the challenges we face, is showing resilience and strength. Last week’s Deloitte Access Economics investment monitor showed that there were \$63 billion worth of projects under way or being planned. That is up 18.9 per cent over the previous year. We have to look at the significant retail investment that is occurring. We have Myer in Lonsdale Street and the \$300 million expansion of Highpoint shopping centre.

To meet our current challenges we have to make sure we have the right policies in place to attract investment. As I said in my previous answer, the elements are very strong. We have to make sure we have strong finances and that we are boosting productivity, growing Victorian business and assisting industry and restructuring. But the centrepiece is a stronger budget with increasing operating surpluses. Without a strong budget we will not have the finance to be able to invest in that important infrastructure.

The December budget update outlined the plan to build up those surpluses to over \$1 billion in the out years. As I mentioned before, we have to boost productivity by cutting the red tape, by making sure we have unprecedented investment in training and by funding that productivity-enhancing infrastructure. We need to be in a position to ensure that with all these elements we are putting in place we are creating jobs.

We also highlighted the importance of the Premier and other ministers travelling to China and India to open up and boost those Victorian businesses. That is an important point in regard to boosting the economy. These elements are a part of the broader economic policies and activities that are being put forward by the government. With the right policy settings Victorians can have confidence in our economic future. With a sound budget we will be creating more jobs, increasing productivity and generating more opportunities for this great state.

Employment: regional and rural Victoria

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier, and I refer the Premier to the claim made yesterday by the Minister for Regional and Rural Development in relation to jobs in regional Victoria that:

There is more good news — and there is plenty of it.

Given that since the Premier came to office there have been some 6400 fewer full-time jobs in regional Victoria, how can this possibly be ‘good news’?

Mr BAILLIEU (Premier) — Regional Victoria is one of the keys to the future of this state, and that is why the coalition government committed \$1 billion to the Regional Growth Fund. That is why we committed \$100 million to rolling out natural gas in country towns. That is why we committed \$160 million to additional country roads and bridges. That is why we are looking to the future with hospital development in rural and regional cities. That is why we are committed to upgrading Avalon Airport. That is why we supported flood-affected communities with a 50 per cent advance on funds required. That is why we continue to support jobs in Mildura. Recently announced were 25 additional jobs at Moira Mac’s Poultry and Fine Foods in Bendigo East, 50 jobs in the Kiewa Valley and 160 jobs with the establishment of a True Foods facility in Maryborough. We are endeavouring to support country and regional communities. We will talk them up; they can talk them down.

Tourism: business events

Mr GIDLEY (Mount Waverley) — My question is to the Minister for Tourism and Major Events. Can the minister update the house on the coalition government’s achievements in securing business events and their importance to the Victorian economy?

Ms ASHER (Minister for Tourism and Major Events) — I would like to thank the member for Mount Waverley for his interest in business tourism and

business events. As members of this house would be aware, tourism is a \$15.2 billion industry. In December last year I outlined to the house that the coalition government, in its first year of office, had already secured more than \$200 million worth of major events.

The question the member for Mount Waverley has asked today is how the government has performed in terms of business events, which are a very important component of the tourism industry. Members of Parliament would know that convention business attracts a very high-spending tourist, often with a partner. By way of example, international convention delegates spend up to five times more than the average international tourist.

I am pleased to advise the house that, according to the Melbourne Convention and Visitors Bureau, in the past year we have set a record in securing business events. From 1 December 2010 to 30 November 2011 we secured 28 business events, which will have a combined economic impact of more than \$254 million for the state and will bring more than 50 000 delegates to Melbourne. This is a superb result for Victoria, with the highest ever attraction of business events in the past year.

Just by way of example, in the previous year the ALP government attracted \$210 million worth of business events and in the year before that it attracted \$145 million worth, so I am very pleased to announce the recent result today. I am pleased to announce also that, on top of the past record year, from 1 December 2010 to the present day we have achieved the attraction to Melbourne of business events with an economic impact of more than \$269 million.

In fact members of this house would be aware that in the past year we have attracted some substantial major conventions. The International AIDS Conference, which will be held in 2014, will be the largest medical conference ever held in Australia. It will be a six-day event. It will generate \$80 million for the Victorian economy and is expected to attract more than 14 000 of the world's leading scientists, health-care providers and political, community and business leaders.

All these events are particularly important in terms of business — —

Mr Andrews interjected.

Ms ASHER — All done; happy to play a role there.

In terms of another event, the World Congress of Cardiology Scientific Sessions 2014 has also been

secured, with an economic value of \$36 million and 9000 delegates coming to the state.

Victoria has so many areas of speciality — science, technology and the like. I would like to thank Club Melbourne and Sandra Chipchase and Karen Bolinger for their support and assistance in this. Again I advise the house that in ensuring that \$15.2 billion of tourism benefit to Victoria it is vital that business events continue to be attracted, and I am delighted to report that this first year of the Baillieu government has been a record year.

Employment: government policy

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier. I refer the Premier to job losses of some 350 at Toyota in Altona, 100 at Thales in Bendigo, 230 at SalesForce in Geelong, 150 at SPC in Shepparton — the list goes on and on — and I ask: when will the Premier finally take action to secure jobs and deliver a comprehensive jobs plan for Victoria?

Mr BAILLIEU (Premier) — The Leader of the Opposition just does not get it; he does not listen. The government has a comprehensive approach to the economy and a comprehensive approach to dealing with the challenges before us. Many of those challenges we inherited from the previous government: blow-outs in ICT projects, blow-outs in other projects, \$20 billion-plus in commitments to —

Honourable members interjecting.

The SPEAKER — Order! The member for Footscray is on a warning.

Mr BAILLIEU — a north–south pipeline that served little or no purpose, which the former government promised not to introduce; \$4.1 billion in GST pulled from our — —

Mr Andrews — On a point of order, Speaker, thousands of Victorian who have lost their jobs deserve better than this answer.

The SPEAKER — Order! What is the point of order?

Mr Andrews — When will the Premier deliver a jobs plan? That is the question.

The SPEAKER — Order! There is no point of order.

Mr BAILLIEU — As I said, we have a comprehensive plan, and the Leader of the Opposition just does not want to listen. He does not want to listen;

he does not want to take responsibility for anything. He is silent on his own — —

Honourable members interjecting.

The SPEAKER — Order! Once again I have had to get to my feet to ask for silence in the house so that we can hear the answer.

Mr BAILLIEU — Let me say it again: we have a comprehensive approach to this challenge, and we are dealing with very significant challenges: international, economic, from the commonwealth and as a legacy from the previous government. A responsible budget is the key to it: providing the surpluses which allow us to deliver services and invest in infrastructure in the future. Let me remind the house of what somebody once said about the last government — —

Mr Andrews — On a point of order, Speaker, the Premier was asked about a jobs plan and when he will produce one, and the answer is in no way relevant to the question: when will Victorians get a plan to secure and protect jobs? A very simple question.

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

Mr BAILLIEU — It is a very clear and straightforward approach: a responsible budget; a focus on productivity, unlike the previous government; a focus on economic growth; and support for industry that is going through transition.

Mr Merlino — On a point of order, Speaker, if the Premier has so much faith in his record — —

Honourable members interjecting.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Monbulk

The SPEAKER — Order! Frivolous points of order will not be heard. I ask the member to vacate the chamber for half an hour. I have warned him about frivolous points of order and stopping the flow of business.

Honourable member for Monbulk withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Employment: government policy

Questions resumed.

Mr BAILLIEU (Premier) — I have made it clear before, and I have made it clear again. I just want to remind the house of what somebody once said about the last government. They said it on 18 March 2011 in the *Age* — —

Mr Nardella — On a point of order, Speaker, question time is about answering questions in regard to government business and the actions that the government will take. It is not relevant what somebody has said about the previous government, regardless of who they are, in regard to answering the question. I ask you to bring the Premier back to answering the question.

The SPEAKER — Order! I do not uphold the point of order, but I ask the Premier to return to answering the question.

Mr BAILLIEU — The comment that was made to which I want to refer is absolutely critical. That quote was, ‘We just couldn’t keep up’. The former government failed to invest, it failed to deliver and it left a legacy which we have to deal with — and that quote comes from the Leader of the Opposition.

Ms Duncan — On a point of order, Speaker, clearly there is no point in me raising the point of order as the Premier has now sat down.

The SPEAKER — Order! The member for Macedon is right; there is no reason to raise a point of order.

Dairy industry: Great Ocean Road brand

Mr BULL (Gippsland East) — My question is to the Minister for Agriculture and Food Security. Can the minister inform the house of recent developments in the dairy industry that will see a significant boost to the regional economy in south-west Victoria?

Mr Eren interjected.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Lara

The SPEAKER — Order! Under standing order 124, the member for Lara will be out for half an hour too.

Honourable member for Lara withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Dairy industry: Great Ocean Road brand

Questions resumed.

Mr WALSH (Minister for Agriculture and Food Security) — Recently I had the pleasure of being joined by the member for South-West Coast, the Minister for Regional Cities, at the Warrnambool Cheese and Butter Factory at Allansford to be part of an announcement of a partnership between Warrnambool Cheese and Butter and Coles supermarkets. This partnership will create 35 extra jobs at Allansford and is great news for the dairy industry in that area. A range of milk and cheese products branded ‘Great Ocean Road’ will be sold exclusively in Coles supermarkets, and this will be an opportunity to grow the dairy industry in that area. As we know, the Great Ocean Road is one of Australia’s iconic sites. It is one of the three R’s, the rock, the reef and the road, and this will be a great opportunity not only for the dairy industry but also a great opportunity to promote Victoria and the Great Ocean Road as destinations for tourists.

It is estimated that these new products will require the supply of 50 million litres of milk, which will be produced in that area. We all know that in any market, brands grow the market and drive market innovation, and this innovation has been developed between Coles and Warrnambool Cheese and Butter. We all know of the health benefits of drinking milk and eating cheese products — something not all Australians necessarily do enough of — so this is a great opportunity to promote the benefits of consuming milk products in a healthy diet.

Members have spoken numerous times in this house about how the dairy industry is one of the standout industries in country Victoria and creates a lot of employment. We have seen an increase in milk production in Victoria over the last 12 months, principally driven by increased production in south-west Victoria but in Gippsland as well. It is important to note that with the return of the rain and the

return of irrigation allocations there has also been an increase in milk production in northern Victoria. This is welcomed by the dairy companies, which have a high capital investment in dairy factories in the north.

This partnership is great news for Victoria, great news for south-west Victoria, great news for Allansford and the Warrnambool community, and particularly great news for the dairy farmers who get an opportunity to help supply 50 million more litres of milk to go into Great Ocean Road milk and cheese products to be sold exclusively in Coles supermarkets for the next five years.

The SPEAKER — Order! The time for questions has concluded. Frivolous points of order that are stopping the flow of business in the house, and particularly question time, will not be tolerated. Members should consider points of order before they get up to raise them, because in the future members who raise frivolous points of order will be suspended from the chamber.

Mr Foley — On a point of order, Speaker, the commentary you just made on frivolous points of order goes to the heart of how this chamber operates. It goes to the relationship between members of this house and the role of the Speaker. The role of the Speaker is probably the most important role in this chamber. It is based on two pillars: that of impartiality and that of authority. When one of those pillars is weakened, the other is also weakened. So just as you, Speaker, ask us to reflect, I ask you to reflect on those issues.

The SPEAKER — Order! I will say it again: I will not tolerate frivolous points of order. Members of this house have been warned time and again in regard to frivolous points of order. I am not going to tolerate them.

Mr Howard — On a point of order, Speaker, in regard to this question time, on at least two occasions during question time you declined to accept points of order raised by members of the opposition. At the same time, when determining not to accept those points of order, you then directed either the Premier or the minister on his feet at the time to return to answering the question. I put it to you, Speaker, that if you give a directive that requires them to return to answering the question, you would concede you did accept they had drifted from the question at the time, in which case I would have believed it was appropriate for you to have upheld the point of order.

The SPEAKER — Order! When I said I considered that the Premier or whoever the minister may have been

was in fact answering a question, they were interrupted by a point of order and I asked them then to return to answering the question.

PORT MANAGEMENT AMENDMENT (PORT OF MELBOURNE CORPORATION LICENCE FEE) BILL 2011

Second reading

Debate resumed.

Mr PALLAS (Tarnait) — We have heard from the Premier about the government's support for the port industry and all of the associated activity which has been amplified across the state, but let us not forget that this is the same Premier who in opposition indicated to the *Age* newspaper that he supported channel deepening but did not support deepening the mouth of the Yarra River — that is, he supported channel deepening and landlocking the existing ports.

Dr Napthine — Rubbish!

Mr PALLAS — It was on the front page of the *Age* newspaper. The Premier importantly told this Parliament that this bill is supported by industry. What does the industry think of this bill? What does Shipping Australia Ltd, for example, think of this bill? Shipping Australia wrote to the port authority, because the authority is going through a process of stakeholder engagement. Shipping Australia has been verbed by the Premier. Shipping Australia said:

We remain totally opposed to an imposition of this tax because raising taxes in relation to the supply chain is a much more costly way than the use of funds raised elsewhere by normal state government taxation to fund infrastructure projects which we are all aware can also be part of the public-private partnerships regarding the funding of many infrastructure projects of direct concern to the port.

We appreciate this is not a matter that the corporation —

because it was only the corporation that the company was corresponding with —

can respond to and we are making representations directly to the minister on our many concerns regarding the bill that was introduced into Parliament on 7 December 2011.

Any suggestion that this bill has the unreserved support of industry is misleading this chamber. What does industry really think of this? Essentially industry knows that there is a lack of transparency in the way the bill will operate. The port charges — the basis upon which the port will raise the licence fee — may be subject to price regulation by the Essential Services Commission,

but there is no express referral according to this. It relies on ministerial referral or on own-motion investigations. The easy way to fix that is to simply put into the legislation an obligation for an annual referral.

The government contends that the bill removes the looming regulatory burden on the Port of Melbourne Corporation and the trucking industry by scrapping the previous government's onerous and unworkable freight infrastructure charge. It is relevant to note that the FIC was announced by the former Labor government to fund a \$38 billion transport plan.

We know that one of the government's proposals and plans, the transport solution plan, will be available to the community in 2013. We may hear from the minister at the table, the Minister for Ports, that the government's plan is for the funding of this to be applied to the port of Hastings. What did the minister say about the government's plans for the port of Hastings when he spoke to an industry forum in September last year? He said, essentially, that the government was acting then to ensure that a container port was developed at Hastings within the next 10 to 13 years. The government has very high expectations of its longevity! There is no doubt about that.

There are currently no container facilities at Hastings and only very preliminary environmental and planning studies have been undertaken. It is conservatively estimated that it will take a minimum of 10 years to develop container handling there, including three years to conduct environmental studies and amenity-based environmental studies, up to four years to complete an environment effects statement and three years to complete construction. A \$9.4 billion spending initiative will not —

Dr Napthine — No, not 9.4 billion.

Mr PALLAS — Well, 15 if you want to take 15 years. Building this massive economic structure will not even start — with the exception of the planning — for seven years, according to the minister's own words, but the government is taking tax up-front now. The sum of \$75 million will be taken from industry without one blow being struck in terms of the delivery of this important piece of infrastructure.

It was not necessary to introduce this bill to abandon the freight infrastructure charge. The government has every right and a mandate to argue that the freight infrastructure charge is not supported by industry. What the government does not have is a mandate to impose an alternative charge in circumstances where the government has guaranteed the community that there

will be no new taxes. The government went about a process where it in effect opposed this sort of charge on equity grounds. Government members said it was a tax on exporters. How do exporters feel about a tax on every export integration step in terms of the way they deal with the port of Melbourne, whether it is at the stevedore level, whether it is at the access point level or whether it is their capacity to pay for wharfage or for channel access — the charges for all of which go up by a standard 50 per cent? This has got to be a record increase in charges for this industry.

When the Minister for Ports was in opposition, on 25 May 2010 he told this chamber:

... the port of Melbourne freight infrastructure charge ... is a big, new tax ...

He went on to say:

... that is \$1 billion that our exporters have to pay and top up, which will make them less competitive on world markets. It is \$1 billion that consumers will have to pay on imported goods that come into this state ... It is a new tax. It is a big, new tax.

The bill will replace a charge with a licence fee. The big new tax is to be replaced with an equally big new fee. As the minister noted in his second-reading speech:

Total revenue raised by the fee to support delivery of the government's objectives over the first three years will be similar to the estimated revenue from the abolished freight infrastructure charge ...

There is the same level of tax burden to support the delivery of the government's objectives in the next three years; however, the government's objectives are not stated, and all that is left is a revenue stream without infrastructure. Can members imagine a concept where government members can come into this place and say, 'We have a bill. We need to raise taxes and we need to raise charges. We will tell you what we will apply them to later. We will apply them to our vision'? Can members imagine anything more myopic or opaque than this government's vision in terms of freight and transport delivery, especially in circumstances where we know the government does not intend to deliver its transport solutions plan until 2013 — that is, at least two years into its term of office?

The tax-now-think-about-what-we-might-do-later strategy is a clear demonstration of why this government is not ready to govern and has no mandate or right to place these export burdens on industry. It is clear that the cost of the port licence fee will have a substantial impact on industry. In an admission that the government has no mandate for this charge, the port itself, in its indication of the need to engage around this issue, said in its material issued to stakeholders that the

minister in his media release of 13 July stated that the previous government's announcement in 2008 was that it would replace the licence fee to be applied to the Port of Melbourne Corporation. That is the entire policy framework around which this charge is based — that is, the minister issued a press release after the government was elected indicating that it was not going to do it and that it needed to raise this revenue.

The port then went to great lengths to indicate what the charges will look like. It indicated its intentions to raise a fee that will be allocated:

... across the broadest customer base possible and will be applied to all prices and charges levied by the PoMC across all trade sectors.

Only the channel deepening project and land rental charges to existing tenants will be exempt. The port has done the right thing; it has told stakeholders where the increases will occur, and it has gone even further than that — it has given an assessment of the price impact that these will have on consumers. We see that the current containerised tariffs will rise from \$40.10 full to \$60.15. In effect that cost will be demonstrated in things like increases in consumer goods, whether it be televisions, electrical goods or milk powder. Export containerised equipment will also be impacted by this charge.

The price impact on channel fees is also up 50 per cent. The minister says that one charge will only cost this many cents; it might, but what about the channel fees and what about the wharfage charges and the charges for access and handling on the port? This is an accumulating charge that will hit every consumer. What mechanisms has the minister put in place to ensure that we do not have price gouging? What mechanisms do we have in place — —

Honourable members interjecting.

Mr PALLAS — It is not the port that is the problem, because ultimately who has to pay and pass on the cost? The minister would know that passing on the cost is implicit in the port's own documentation. Passing on the cost to consumers happens at each point in the price chain. There is not one price chain and not one time when the users are hit through their access to the port under the previous freight infrastructure charge; there are multitudinous charges. There are all those charges covered by the reference tariff schedule — a dozen or more — that will all increase and all cumulatively impact upon the cost of goods.

This is a bad tax. This is as bad as a tax gets because in effect it allows price gouging and there is no legislative

mechanism whatsoever for scrutiny and oversight of the tax. But it gets worse than that, because if members look at the way these charges are being raised, they can see that automotive and brake bulk trade prices will go up. The automotive industry will be hit once again. That industry keeps getting mauled by this government. This government raised vehicle registration. We saw stamp duty for new vehicles raised, and now there is a proposal to add about 25 per cent to cartage costs of vehicles by moving them to the port of Geelong. All these issues are progressively impacting upon the capacity of our vehicle exporters to be able to ply their trade in an increasingly difficult environment. Does the minister care? Does the government's tax recognise these problems? Absolutely not.

It gets worse. If members look at the charges proposed to be raised as a consequence of this tax, they will see that the community would have every right to raise concerns about whether or not the government has actually got its mathematics right in terms of how it raises this revenue. The means by which these charges are raised will in effect mean a 50 per cent increase in the tax of the revenue stream of the port. An analysis of that increase shows that the port will raise closer to \$100 million rather than the \$75 million claimed by the minister.

The total revenue of the port in 2010–11 was \$242.2 million, which represents an increase of \$23.8 million on the previous year. The trade-related revenue from wharfage charges of \$156 million increased by \$18.7 million on the previous year. Total revenue increased by about 10 per cent on the previous year. What we have is a 50 per cent increase, bearing in mind we are having a 10 per cent year-on-year increase at the moment.

In five years the port's operating revenue has increased from \$142.1 million in 2007 to \$242 million in 2011, which is a 70 per cent increase. The port's operating profit after tax has risen from \$22 million to \$32 million, or a 77 per cent increase. Its net asset base has once again risen appreciably from \$765 million to \$1.4 billion, or a 92.6 per cent increase. If members do the simple mathematics on the revenue that the port has achieved in its last budgeted year and accounted year and do not apply the 10 per cent growth on its revenue stream, what comes up is about \$100 million in terms of revenue — but we are told that the requirement in the legislation is for \$75 million.

It is understandable that the port does not want to have to bear the burden of under-recovery, but should the industry have to bear the burden of over-recovery? That is the big question here: where is the transparency, how

do you account for over-recovery and what mechanisms are to be put in place that are clearly not in place in the content of this legislation to ensure that our exporters, our importers and ultimately our citizens are not unfairly and in many ways irrationally bearing the burden of a perception of a liability to the state that is ultimately not being met?

I have had the opportunity to speak to a variety of stakeholder groups, including the Australian Industry Group, which was concerned about the impact of the tax. The shipping industry has specific concerns. It has said that its concerns go to the viability of the industry and the inability of that industry in many cases to pass its costs down the supply chain. If that is the case, I assume it will be reflected more broadly in other port users having that same difficulty. Make no mistake: the trucking industry expressed those same concerns in respect of the freight infrastructure charge, but it expressed them most notably in respect of small operators.

This fee will, writ large, see disproportionate engagement between certain sectors of industry which will seek, not unreasonably, to apply their cost liabilities further down the supply chain. You will have a cascading effect of charge offset against charge offset consistently down the line, and that will have a profoundly greater impact upon jobs and consumer-based pricing and therefore upon inflation. Ultimately this demonstrates that the government has no clear plan about how to effectively raise this tax.

Our concern about this tax is that the government has no mandate to raise it. The government made it very clear that it would introduce no new taxes. It made it very clear that it opposed the freight infrastructure charge, but how many people in the Victorian community actually thought that when the government said all of that its aim was to change the charge to a levy? That was in effect all. The government said it needed to fund an as yet unexplained infrastructure spending strategy that we probably would not see for another two years. We know that that has nothing to do with the port of Hastings, because it is seven years before they will start to strike a blow.

What we do know is that we have a piece of legislation that is not accountable, that does not explain how over and under-recovery can occur and that does not accord with a desire to simply meet forward estimates obligations, because if it did, this bill would sunset after four years. This is an open-ended desire to essentially raise revenue against not only port users but ultimately customers in every retail and wholesale outlet in the state's economy. The cascading effect of this upon the

economy will be profound. There will be no offsetting benefit in terms of port efficiency and the way in which freight is managed around the state. This bill contains no vision for the future. It is just a big, fat tax grab to line the pockets of a government that has no ideas other than those that take money from consumers.

Mr BURGESS (Hastings) — It is a great pleasure to rise to speak on this bill. It is certainly pleasant to work with a government and a minister who have a plan to take Victoria forward. It is one of the few opportunities that the government has had to impose itself before any damage is done. The particular damage to which I refer includes things such as the myki ticketing system, the desalination plant, the north–south pipeline and the smart meters. The government has had to try to clean up all of those things and to clean up the disgraceful mess that the previous government left. On this occasion we have a good minister and a good government in place that are able to circumvent problems and issues that would have been created at our ports. That is precisely what this government, this minister and this bill are doing here.

It is really sad to watch a former failed minister on his feet — a minister who was in the job long enough to have been able to put in place a plan for Victoria and to have been able to support Victoria's economy. Instead, what did he do? After 11 years the Bracks and Brumby governments left us without a plan. They left us with a port of Melbourne that was full, and they left us with congested roads. The former Minister for Roads and Ports, the member for Tarneit, gave it away when he said he believed that even before a stone could be struck or anything could be done at Hastings we would have had to wait seven years. So what did he intend the economy to do? If he could not even start on Hastings for seven years and the port of Melbourne was full, what was his plan? Clearly he had no plan. Early on in the Bracks government there was a plan to move to Hastings, but certainly after the Brumby government and the former minister took hold there was no plan.

As I say, it is a great pleasure to rise to speak on this bill, which is about doing the best thing for Victoria. It is not about being beholden to the unions that have controlled this area for so long. It is about making Victoria and its economy competitive in every way possible. It is the opportunity for this government to deal with this matter without having to go into damage control again.

There is quite a lot that needs to be said, but clearly the argument is always one side of Parliament against the other. What is really useful in these circumstances is to look at other interested parties and what they have said.

The former minister was shying away from looking at such views because he knows how critical the industry is of his plan and how critical those that look at the industry have been of the previous government's plans. One good example of this criticism can be found in an article by Clay Lucas in the *Age* of 11 September 2010. The article states:

A new government charge to be levied on the 3000 trucks a day that visit the port of Melbourne's Swanson Dock will squeeze drivers' earnings and make the roads more dangerous, the nation's biggest transport union says.

Further on the former minister is quoted as having said:

... the charge will push importers and exporters to use rail to move their goods instead of trucks ...

The inference was that the rail operators would not pay the charge and therefore freight would be forced onto rail. The article goes on to state:

But opponents say it will achieve none of this, and instead make the roads more dangerous by piling costs on to truck drivers that are already stressed and tired.

'This is an absolute grab for money by the minister, and to hell with the consequences for truck drivers', TWU national secretary Tony Sheldon said.

Around half of the nation's trucks that visit the waterfront are driven by self-employed owner-operators.

Mr Sheldon said the charge would hit these drivers hard, making them work longer hours.

'Which means vehicles will be less maintained and more dangerous'.

Clearly the previous minister was out of touch even with his union friends. Further on the article states:

Truck driver Les Bujaki, who works for a small trucking company, said his job would be under threat when the charge came in.

This is another matter the previous minister simply ignored. The article continues:

'This will put more pressure on my boss, and it will put more pressure on us drivers, which will cause accidents', he said. 'Why is a Labor government doing this to us? We're the workers'.

Logistics industry group the Victorian Transport Association has also set up a fighting fund to oppose the charge, which chief executive Philip Lovel argued would not change behaviour.

There are a number of issues that the previous minister brought up in his contribution. He said that his plan would have been good for the Victorian economy and that it would have changed people's behaviours. That is

clearly not the opinion of the industry or the unions. In the *Age* article Mr Lovel is quoted as saying that:

... it would create a billing nightmare for truckers and drive many out of the industry.

The previous minister said that the revenue that would be taken from this charge would go towards transport projects and would assist to improve movement around the port of Melbourne. Further on the article contradicts this claim, stating:

Government documents show the revenue collected from the charge will not be directed to transport projects but into consolidated revenue.

That certainly puts a lie to the arguments the previous minister put before us. This is really of great concern to me because the previous government had left Victoria in a position where there was going to be no option to go on from the port of Melbourne to the port of Hastings. The Minister for Ports has gone down the track of looking at what can be done in what — —

Ms Thomson — I wish to alert the Speaker to the state of the house and remind government members that they are responsible for providing a quorum for their legislation.

Quorum formed.

Mr BURGESS — A Victorian Transport Association media release from 6 May 2010 quotes Mr Lovel and states:

Having now been made aware formally about the government's intentions, it's clear that the Department of Transport, the Port of Melbourne Corporation, and indeed the government, don't understand the container transport chain —

and certainly that is no surprise to any members on this side of the house —

particularly the commercial and operational circumstances of road transport companies who are getting on with the vital job of moving imports, exports and empty containers to and from the port of Melbourne?

The government states that an objective of the proposed charge is to encourage off-peak use of roads by trucks accessing the port of Melbourne, and to reduce peak-hour congestion. What the government seems to not understand — —

Dr Napthine — The previous government.

Mr BURGESS — Yes, the previous government. To continue:

What the government seems to not understand is that the road carriers are already moving towards 24/7 operations as trade

volumes grow and as weekends, including Sunday since October 2008 at one international container stevedoring terminal, become normal operational days.

More importantly, the times when road carriers can access the international container terminals are dictated by when 'slots' are made available by the stevedores for trucks to enter to pick up or deliver containers, when ships are receiving and delivering cargo, and by the demands from customers (importers, exporters and freight forwarders).

'If the customer wants the import container at their premises by 8.00 a.m. in the morning, then irrespective of whether the container has been collected from the stevedore the night before, a truck will be in the peak-hour traffic stream that morning delivering the container to meet the customer's needs'.

'Therefore, any 'peak pricing' component in the proposed freight infrastructure charge will be meaningless in terms of influencing behaviour'.

That sentiment is coming directly from the industry: it is the opinion of those who make their living observing what is going on in the industry and supporting that industry, and it is also the opinion of the unions, with reference to the article I quoted earlier.

There is no doubt that the previous government was struggling to find a solution, and people can understand that; being pressured by unions and having to look like it was trying to support the Victorian economy would definitely have been a difficult charade to maintain, but it is a charade that the Labor government went on with nonetheless. Victorians should be very angry at the way the previous Labor government left Victoria — without an option to sustain its economy because of the neglect of the previous minister. It is clear from his contribution today that the previous minister has lost complete faith in the port of Melbourne; he seems to not have the trust that he once professed to have, and I think that is a shame.

But from an overall perspective we now have a minister who is looking forward and planning for Victoria. He is planning to create an opportunity for Victoria's economy to prosper — that is, to be able to use the port of Hastings as a supporting port for the port of Melbourne. Clearly that is not something that members of the previous government were able to get their heads around. As I said, at first the Bracks government went down one track, spending a lot of money and time on coming up with a plan and having a lot of work done around the port of Hastings, and then it changed plans midstream. All of a sudden Hastings was no longer going to be the next port; instead there was going to be some sort of hybrid model that not even the previous minister was clear on. We were left in a situation where the industry and the community — and no doubt

international shipping companies — were not sure what the future was for shipping into and out of Victoria.

Clearly all that did was feed into the ambitions of competitor ports around Australia, which were vying to take away the port of Melbourne's mantle as the no. 1 container port and the no. 1 container area in Australia. That was a competitive situation that again the previous minister and other members of the previous government were not able to get their heads around. They were not up to the challenge. They left Victoria in a situation where the new minister and the new government have had to pick up the slack and really get things to happen.

The speed with which the minister has acted in getting the Port of Hastings Development Authority together and getting planning under way so that the port of Hastings can become Victoria's second major container terminal has been phenomenal. As the member for Hastings it is of great importance to me and to my community that the port of Hastings is developed and developed well. My community has the greatest confidence that the minister and the Baillieu government are on the right track and progressing very well.

Mr DONNELLAN (Narre Warren North) — It is an honour to speak today on the Port Management Amendment (Port of Melbourne Corporation Licence Fee) Bill 2011.

It has been indicated by the former Minister for Roads and Ports, the member for Tarneit, that this bill will substantially increase charges for people using the ports. There was an article yesterday which indicated that the government is looking to recover a fee of about \$75 million. The issue is pretty much as the minister has indicated in his comments — that it is a big new tax. That is very much what it is. When the previous government looked to introduce charges to raise money, there was a specific purpose to its scheme. The purpose was to improve logistics around the port by looking at the truck action plan and so forth. This is very much a grab for money, whether it be from the Transport Accident Commission, WorkCover or the Port of Melbourne Corporation.

The government is very much like a squirrel that collects chestnuts and piles them high. It will have a big pile of money but will not know what to do with it. It will have a surplus — and we are not against seeking a surplus — but it will have this bird-brained surplus that in itself will not deliver one extra job to the community. In and of itself it is not a virtuous exercise. You have to be able to do something with the surplus, and the

government wants to create a surplus in the out years, as its members say, but at the end of the day it is so bird brained that it does not have any idea what to do with it.

Even the minister has indicated some far off, long-term objectives. He said in effect, 'We do not know what they are, they are just far off'. The industry would probably be somewhat supportive of the idea if it had a notion about where the minister was going to use it, but this is just dragging money into consolidated revenue to make up a big pile of chestnuts when the bird brains do not know what to do with it and there is no structured plan. Sometime in 2013 we may have a plan, but at the moment we do not have a plan for what to do with the money. I go back to the idea that a surplus in itself, collected from the port of Melbourne's management authority and others, is not a virtue in itself. Saul Eslake and other economists clearly indicate that if you are going to tax the community, you have to work out what you will do with the money. Just having a surplus will do nothing for the community.

We know what the top end of town is saying. I was sitting with a man who has been giving money to the Liberal Party for about 50 years. He was a major international exporter, and he leaned across to me and said, 'God only knows why the people moved from Brumby to Baillieu'. He said, and he had known the Baillieu family for years, 'They do not have an idea what they are going to do'. The prize in itself is the position. That is the problem with the conservatives: they do not know what to do with the prize, but they take the prize. They sit there as the do-nothing specialists, and here we have them collecting money at a hundred miles an hour but with no plan. That is the tragedy of it all. At least former Premier Jeff Kennett and his Treasurer, Alan Stockdale, to give them credit, had a plan. They knew what they wanted to do. If they were going to introduce the licence fee, they would have had an idea of what would be done with the money. But this government is collecting money like a squirrel, and it is in a big pile that just sits there. It will do absolutely nothing.

In addition we have statements such as the one from the government last night that it is not going to run a candidate in the by-election for the seat of Niddrie. We know it is not running in Niddrie because the public has worked out that this bird-brained government has no plan.

Dr Napthine — On a point of order, Speaker, with respect to relevance, the member has been roaming far and wide and missing the mark on the bill itself, and he is now ranging way too far from the bill. I ask you to bring him back to speaking about the bill for a change.

The SPEAKER — Order! Yes, I think he may have drifted a little off the wharf. I ask the member to return to debating the bill.

Mr DONNELLAN — This is about collecting money from exporters — and as the minister said, it is a big new tax. I do not know what the difference is between the last one and this one. Supposedly the beauty of this tax is its simplicity. The minister has said on the record that it is simple, so what is so special about having a simple tax? I like efficiency in collecting taxes, but you have to work out what you are doing with them. It is not a virtue in itself, once again, to have simplicity — and all we have is a simple government with no plan. It might be an efficient tax, but you need a plan for what you will do with it. At the end of the day the exporters will demand improved access in and out of the port so that farmers and the like can have increases in export opportunities on an ongoing basis. They want efficiency in coming in and going out, and they do not like the idea that somehow or other we have a beautiful tax when, at the end of the day, there is no idea as to what will be done with it.

This morning I was listening to a report on another transport-related issue. The Lord Mayor of Melbourne, Robert Doyle, was speaking on radio, defending the government. The best he could do was say that the government was talking about railway crossings. These issues are all part of efficiency and getting things in and out of the port quickly and so forth, but the Lord Mayor found it hard to say anything other than that it is talking about rail crossings. There are no plans; it is just that we are talking about it. That is absolutely marvellous, but the embarrassment here is that the Minister for Ports has totally contradicted his statements made in Public Accounts and Estimates Committee hearings and the like, and his only excuse was that this is a better tax because it is simple. He said in effect, ‘I do not have a plan. I might have a plan in 2013 for what I want to do, but all I can tell you is that it is simple’.

Unfortunately we are dealing with simpletons. We are dealing with a group of people who do not have a plan, and that is very much why they are not running a candidate in Niddrie — because the community has made the assessment that the wheels are coming off.

The SPEAKER — Order! I ask the member to return to debating the bill before the house. I do not want to ask him again.

Mr DONNELLAN — What will we have? All liquid bulk fees will rise by 50 per cent, cruise ships will pay an additional \$3500 in channel fees, tariff fees for berth hire will rise by 50 per cent and the cost of

security, water supply and gangway hire will all rise. At the end of the day the minister railed against this when he was in opposition, but now all he can say is, ‘It’s a good tax now, and I promise you a plan in the future’. I am sure the industry is overjoyed that somehow or other within the next couple of years — —

Honourable members interjecting.

Mr DONNELLAN — We know the Victorian Employers Chamber of Commerce and Industry does not support it and the shipping industry does not support it, so I am trying to work out who actually supports this bill. The minister keeps telling us that somehow or other miraculously these people will be dancing in the streets about the fact that there is a new tax but no plan. This is the tragic thing about it. You would hope the government would come in with an idea of what it wanted to do — and the minister has been in that position for a fair while — but he still does not have a plan. Maybe somewhere in the far off distant future, over the distant horizon where we might find Dorothy and the like, there will be a plan. But I have a funny feeling that it will not be funded. In fact I have a feeling that this money will be ripped off and will go straight into consolidated revenue so that the Treasurer can come in here and say that he has delivered a surplus and that that in itself is a virtue. But there is no virtue in having a surplus; you have to do something with it.

This is the trouble with conservative politicians — they are the do-nothing specialists. They say, ‘I’ve got a surplus’, but whacky do! You have to have a plan. You have to be able to do something with it, and unfortunately this bill does not deliver. I do not commend the bill to the house. We will be opposing it.

Mr McCURDY (Murray Valley) — I am delighted to talk about the Port Management Amendment (Port of Melbourne Corporation Licence Fee) Bill 2011. I will try not to raise the Niddrie issue at any time during my contribution on the bill and will stick somewhere close to what we are supposed to be talking about.

The government continues to clean up the mess after 11 years of long, hard Labor, and although Rome was not built in a day we have begun and are finally going to start making some progress. The bill is a giant leap forward, particularly for rural and regional Victoria. Members in the back stalls over there may laugh, but rural and regional Victoria have done it pretty hard over the last 10 years; and for those in this place who do not understand, primary producers are generally price takers. The two influences on their business are the Australian dollar and mother nature. Both of these are out of their control.

The other point is that exports drive our state and imports allow choices for all Victorians on commodities that come in from overseas. The Labor government wanted to put another impossible impediment in the way of small business. A brand new tax was going to be born, a freight infrastructure charge — the FIC. Here we go again. Think of a tax, give it a trendy acronym and roll it out under a cloud of suspicion.

Having seen the spin around smart meters and the cost blow-outs of myki, this government agreed that enough was enough. Labor was spending money like a drunken sailor, inventing new ways to waste money and then trying to think of new taxes to support its bad habits, so the freight infrastructure charge (FIC) was created. I am pleased to say that is now going to get the b-o-o-t. The spin by Labor members claimed that the revenue would be \$75 million less costs, but they forgot to mention \$100 million in set-up costs for the FIC and annual, ongoing charges of \$15 million to \$20 million. This is starting to sound like a desal plant to me.

Make no mistake: this would have been a significant impost on transport operators in rural and regional Victoria, a group that has absolutely no way of passing that cost on. Every container coming in and every container going out would have been taxed, affecting those who can least afford further imposts on their businesses.

Labor also claimed that the revenue from the FIC would be spent on its unfunded \$38 billion transport plan. There are two words that go together well: 'Labor' and 'unfunded'. Yes, the magical \$38 billion Victorian transport plan! The interest on the \$38 billion is about \$2.5 billion, so I do not know where \$75 million was going to go under that plan. It would not even pay the interest.

What is required under this bill? A fairer system — a system that will not target individuals and a system without the huge set-up costs, the gantries and the e-tags, which are all held together by spin. I will tell members what a few of the major players had to say. I do not know who the previous speaker had been listening to, but the chief executive officer of the Victorian Employers Chamber of Commerce and Industry (VECCI), Mark Stone, said:

VECCI is glad the state government consulted with industry and has acknowledged our concerns about the red tape burden the FIC would impose on operators using the port.

We are talking about the port of Melbourne here — Australia's largest container and general cargo port, handling around 37 per cent of the national container

trade. We are not talking about the St Kilda fishing marina! This is a major player in the Victorian economy. The Victorian Farmers Federation said:

Farmers are pleased by Minister Napthine's decision to drop this charge. Our consistent position has been to oppose it from day one.

The Victorian Transport Association's CEO, Philip Lovel, said:

We campaigned strongly from the beginning that such a tax would be inequitable and would create great distortions in the container road transport market in Melbourne, sending many small to medium size businesses to the wall.

It goes on. The *Age* had a headline 'Truckies vow docks blockade over levy'. The *Bendigo Advertiser's* headline was 'Farmers applaud decision to drop export charge'. The *Sunraysia Daily's* headline was "'Tax grab" scrapped'. These are not my words. They are out of regional daily newspapers. I find it amazing — or is it a coincidence? — that when we consult — —

An honourable member interjected.

Mr McCURDY — In September of last year. I find it amazing that when we consult with the industry and when we discuss likely outcomes and options we resolve to agree to a plan that is agreeable to all parties. Isn't that a coincidence? By working together with industry and consulting with industry, we come together with a plan. It is proposed that the Port of Melbourne Corporation pay a \$75 million port licence fee, which will be shared by all. Yes, it will be increased by the consumer price index increase, and that is open and transparent. It will be allocated across the broadest possible customer base. Instead of slugging the primary producers and truck operators like the FIC was going to do, this will be across a broader perspective.

I will give you a few examples of how these costs would be rolled out. The average cost increase to a TV that is imported will be 13 cents.

Dr Napthine — How much?

Mr McCURDY — Thirteen cents on the average TV. For every car that is imported — \$12 per car. For every tonne of milk powder that is exported — \$1.18 per tonne. This is a fair system across a broad base. The fee will begin on 1 July and will be indexed annually. It will be published in the Port of Melbourne Corporation annual report — there is transparency for you. It is projected to be \$75 million in the first year, \$76.7 million in the second year and \$78.4 million in the third year. You can see a trend evolving here —

openness and accountability. No smoke, no mirrors — consultation and fairness equals agreed outcomes.

On top of this, there has been general agreement by industry stakeholders that revenue raised from the new fees should be directed primarily towards infrastructure projects that improve the state's productivity. The Minister for Ports, who is in the chamber now, said in his second-reading speech on 7 December last year that industry and the community will benefit from the fee revenue being available for infrastructure projects that improve Victoria's productivity. I am well aware that while any new charge will inevitably have some impact on industry, the government has limited this impact by rejecting the FIC.

In my electorate of Murray Valley the decision has been applauded by transport operators like Brian Hicks of Brian Hicks Transport, who continues to say to me: 'Give us a chance to be competitive'. There have been rising fuel costs and federal taxes and greater scrutiny of his industry. I am delighted to say that we will support regional Victoria, and this does not just include the truck operators; it also includes the likes of the Murray Goulburn Co-operative, the largest single user of the port of Melbourne, Bega Cheese at Strathmerton, and particularly the grain growers from Yarrawonga, who are also price takers. They have no opportunities to pass these costs onto the marketplace. By scrapping Labor's planned truck tax, the coalition government is protecting Victorian jobs, particularly those of regional producers who would have shouldered the burden.

The claims that Labor's truck tax would have eased truck congestion is absolute rubbish. Only 3.3 per cent of the vehicles in the ports area actually ever enter the port. I will let you in on a little secret: truck drivers do not like peak hour any more than anybody else does. They are already avoiding peak time, so the tax was never going to change their habits.

In conclusion, while this government continues to clean up the mess it is also stopping new taxes and new impediments that Labor wanted to impose. The truck tax has gone, and common sense prevails. All Victorians will share the responsibility. There will be no huge set-up costs and no spin; instead there will be a responsible, equitable and consultative approach. Minister Napthine should be congratulated. The values that we bring to government are reflected here in this bill. I commend the bill to the house.

Ms HALFPENNY (Thomastown) — I rise to speak on the Port Management Amendment (Port of Melbourne Corporation Licence Fee) Bill 2011, and I do so with a sense of exasperation, because Victoria is

once again faced with legislation introduced by the Baillieu-Ryan government that shreds its pledge — made repeatedly during the election campaign — to reduce the cost of living for Victorians.

This new tax will increase the cost of living for Victorians as well as further penalise Australian export industries, manufacturers and farmers at a time when they are already grappling with the strain of a high Australian dollar. Even the previous speaker conceded that there will be an increase in prices to the consumer as a result of this tax. During the election campaign we were told repeatedly that the coalition was going to reduce the cost of living. I have to say that in all the contributions we have heard from the government there has not been one mention of consumers — ordinary Victorians — and what consumers think about these new taxes.

The opposition will not be supporting this bill. There are many reasons why we cannot support it. The bill requires the Port of Melbourne Authority to pay to the state government well over \$75 million a year. That will be ongoing, and it will increase with the rate of inflation. The authority intends to pass on the full cost of this to users of the port. This is a tax that will increase costs to Victorians but will not be used to benefit them. It takes money out of the economy but does not contribute to any investment for the future as far as we are aware. It puts nothing back into improved infrastructure or services. It will only put further pressure on jobs for Victorians at a time when there is real uncertainty and concern about the future of the economy.

When the opposition raises legitimate concerns, like our concerns about this legislation, and points out that the Premier and his ministers are asleep at the wheel of the Victorian economy, the government claims we are talking down the economy. This is not true. It is the job of the opposition to hold the government to account and point out where it is failing — something this government is doing over and over again. In fact it seems the only job creation this government is contributing to is the increasing workload of the opposition, which is charged with the ever-expanding task of pointing out the failures and viciousness of this government.

This bill proposes to levy another tax to be paid into the government's consolidated revenue, which will raise the cost of living for all Victorians. That is on top of the unfettered price rises for utilities and groceries, the increases in VicRoads charges and the many other items of everyday living that are becoming more expensive under this government. This bill imposes a

tax, but even with the public transport price rises brought in by this government there are no plans to spend the money on improvements to our state. This bill and this tax are yet more broken election promises in themselves. In opposition the coalition promised no new taxes, but instead it continues to charge Victorians more and more and has no new plans to build for the future. By its own admission this is a tax grab and nothing more.

The hypocrisy is incredible. When in opposition the now Minister for Ports complained about how the infrastructure tax that was proposed was going to be a big new tax on our exporters, who would have to pay and top up. He said that it would make them less competitive in world markets. He is now doing exactly the same thing, except that the revenue is not going to be used to increase or provide support for the necessary infrastructure. This goes well beyond the philosophy of 'user pays', because user pays normally means that you pay for something that you are using, but in this case nobody will benefit from the tax that is to be imposed.

We will be opposing this bill because it is bad policy. We will be opposing this bill because it shows for a lie the government's election commitment. We will be opposing this bill because it will cause price rises for all Victorians in the cost of our everyday living, and nothing will be invested in for the future. Members on the government benches might well be able to afford these escalating prices but most of us in Victoria cannot.

Mr KATOS (South Barwon) — It is my pleasure to rise this afternoon and contribute to the debate on the Port Management Amendment (Port of Melbourne Corporation Licence Fee) Bill 2011. This bill imposes an annual port licence fee on the Port of Melbourne Corporation. Just as background, the port of Melbourne is Australia's largest container port and accounted for approximately 36 per cent of the national container trade in 2011. During 2011 it recorded a 9 per cent increase in total container volumes, so it is a very busy port.

The fee imposed by this bill will apply from 1 July 2012, which is the commencement date of the bill. The fee will be indexed annually in line with the consumer price index. The Port of Melbourne Corporation has advised that it will treat the fee as an operating expense; that is how it will recoup the fee from users. It will recover the funds from customers through its own powers of levy and will charge port users. This is actually a fairer system, because the freight infrastructure charge previously proposed by the Brumby government simply applied to truck

movements into the port, whereas this will apply right across the board and across all container movements. It is a more equitable system and a fairer approach to raising this charge.

One of the other issues in regard to that is that \$100 million in fixed costs was going to be added to the costs for the Victorian government and the port of Melbourne. The freight infrastructure charge system proposed by the Brumby government and the former minister, the member for Tarneit, who is at the table, would have cost \$100 million to set up, and in its first year it would have collected \$75 million, so the government would have lost \$25 million in the first year. The sum of \$100 million can go a long way; by my reckoning that is the building of 5 secondary colleges, 6 or 7 primary schools or 10 police stations. That could go a long way around the state, not only here in Melbourne but throughout country Victoria. We have removed \$100 million in regulatory burden from the industry, and that has improved the state's bottom line. The port licence fee will raise revenue for the state, but the fee's low implementation costs will mean the money will go back to the state and back to the people of Victoria.

Earlier a member — I am not sure which member, but my memory will come back to me — was talking about the monitoring of prices. Will this be passed on fairly? Will it be done properly? Basically the Essential Services Commission will have the power to monitor the way the Port of Melbourne Corporation charges this fee. The Essential Services Commission will come in and have the power to investigate. If a user believes they have been unfairly dealt with, they will be able to go to the Essential Services Commission and have the matter investigated, so there are checks and balances for making sure that this charge is collected in a fair and equitable manner.

I will give a bit of background to the freight infrastructure charge proposed by the previous government in 2010. That charge was basically a tax on trucks entering the port of Melbourne. I believe the statistic is that 3.3 per cent of trucks entering the area would go into the container port, so Labor would have been taxing the 96.7 per cent of trucks that were simply driving through the area and not actually unloading a container. The charge was an onerous impost on the transport industry, and it was unworkable. It would have forced truck operators who entered the port to become tax collectors. It would have significantly disadvantaged exporters, because the freight was on outward movements. As an example, the member for Rodney, who is in the chamber, is obviously from a dairy country background. Dairy exports, which the

Minister for Agriculture and Food Security said earlier are among Victoria's largest agricultural exports, going through the port would have been disadvantaged, yet products coming into the port would not have had such a charge on them. The charge would have only been on exports. Obviously that is a disadvantage to the exporters of this state.

As I said earlier, it would have cost \$100 million to set up the tolling system. That is \$100 million that would have been wasted. The previous government was good at setting up tolls and things that were wasted. As I said, it would have cost \$100 million to collect \$75 million in the first year, so in the first year the previous government would have been down \$25 million.

The coalition has consulted extensively with the transport industry and other groups, and they have told us that the freight infrastructure charge was simply unworkable and a truck tax. The coalition, including the minister at the table, the Minister for Ports, has worked with industry to develop a fairer model for revenue that has been built into the forward estimates.

I will look at some third-party commentary on the freight infrastructure charge and also on the charge the government is proposing. On 27 September 2010 on the Victorian Employers Chamber of Commerce and Industry (VECCI) blog Wayne Kayler-Thomson said:

... about 3000 trucks enter Swanson Dock per day to transport containers for shipping. On average the trucks carry a little more than two containers per visit.

...

Wharfage at the port of Melbourne is currently \$38.40 and the channel deepening charge is an additional \$33.10 per container. The mooted —

freight infrastructure —

charge of \$180 would be the equivalent of another \$90 per container on —

the current truck rates. Here there was a cost of over \$90, so it was a \$60, \$70 — well over a 120 or 130 per cent — additional charge on containers going into the port.

A media release of 13 July last year quotes Mark Stone as having said:

VECCI is glad the state government consulted with industry and has acknowledged our concerns about the red tape burden the FIC —

freight infrastructure charge —

would have imposed on operators using the port.

That is what this government is about: consulting with user groups and with the community. On my point about non-consulting by the previous government, I recall one area of blatant non-consultation — and the shadow minister at the table, the member for Tarneit, is responsible for that one — and that was in relation to the Barwon Heads bridge. There was an absolute lack of consultation, and the previous government did not listen to the community and user groups who spoke about the Barwon Heads bridge. There was no-one in Barwon Heads who wanted the two-bridge solution, yet the previous government ploughed on. That demonstrates this government's commitment to consult.

The Victorian Farmers Federation, in a media release of 13 July 2011, quoted Mr Tuohey as having said:

Farmers are pleased by Minister Napthine's decision to drop this charge. Our consistent position has been to oppose it from day one ...

The charge, proposed by the former government, would have only applied to container trucks entering the port of Melbourne. It was a charge on exports and would have reduced the competitiveness of industries whose goods were destined for international markets, such as agriculture.

...

One of the major flaws of the charge —

being the freight infrastructure charge —

was its narrow collection base, limited only to export containers, with the intention of using this revenue to fund large infrastructure projects.

Obviously this money was to go to the unfunded \$38 billion Victorian transport plan of the previous government. We all remember those nice, catchy jingles and hard hats and vests. Whatever came of that?

An honourable member — We got the ads.

Mr KATOS — We got plenty of ads and spin; that is all that ever came of it. I am happy to support the bill. I support the minister, who has consulted with industry and user groups in a common-sense approach. It is refreshing to have a minister who actually goes out there and talks to user groups in the community and takes on board what they say. With that, I commend the bill to the house.

Ms THOMSON (Footscray) — I rise to oppose the Port Management Amendment (Port of Melbourne Corporation Licence Fee) Bill. I think the title of this bill, which replaces the freight infrastructure charge, says a lot. The bill before the house actually imposes a tax — a 50 per cent increase — the revenue from which

is about to go into the consolidated revenue of a state government that is pillaging other authorities in order to get a surplus because it cannot manage the state, it cannot manage its departments and it cannot manage its own programs.

The name of the freight infrastructure charge defines what it was intended to be. It was about putting infrastructure into the port and around the port. As a member of Parliament who has the port as a neighbour, I know what the impact of the port is on my electorate. I understand that that impact will increase over time, because we know the container traffic will increase exponentially until the year 2030. What is the plan for dealing with the immediate problems around what goes in and out of the port? What is the plan to ensure that we are encouraging as many people as possible and as many exporters as possible to use rail systems to take their freight into the port? Where is the incentive for that? What is going to happen to the plans to upgrade the rail into Webb Dock? Will that occur? I guess not. What has happened to the truck action plan, which was to give efficiencies to the trucking industry, which needs access to the port, and relieve the burden on the residents who live around the port? What has happened to that plan?

The freight infrastructure charge was about dealing with those issues. There was to be no charge for farmers who were going to put their produce onto freight rail to take it to the port. They would not have paid any amount of money for that. But now everyone — everyone — will pay. No matter who they are or how small they are or what their goods are, they will pay this new tax. This is from a government that when it was in opposition said, 'No new taxes'. Then in May last year at a Public Accounts and Estimates Committee (PAEC) budget estimates hearing, when he was asked whether or not there will be a charge at the port the minister said he did not know. At that committee hearing the minister also said:

... 87 per cent of containers imported through the port of Melbourne are destined for a location within the Melbourne metropolitan area. This is a detail that highlights how important it is to get our Melbourne freight logistics channels operating smoothly.

But there is no plan to do that; there is absolutely none. We did have a plan; we had the truck action plan and we had the WestLink tunnel. We had a way of taking those trucks off the streets, where they should not be, and giving them efficiencies. We funded the first stage of the truck action plan. What happened to that? Nothing happened, nothing at all.

At the PAEC hearing the minister also said:

When it comes to export containers, these are coming from a broader geographic area.

He went on to say:

Fifty-four per cent have origins in the metropolitan area, the greatest number coming from Laverton, West Melbourne, West Footscray, Laverton North and Altona. The remaining 46 per cent of the port's export containers come from regional Victoria and southern New South Wales, particularly Horsham in the west and Griffith in southern New South Wales. The port's catchment extends to South Australia, and the rail service from Adelaide is a ready source of containerised goods and produce from over the border.

But if you look at that list, can you say who will suffer from the increased truck traffic? It will be the people in the west. And does this government care? It does not give a damn. If it did, it would be implementing the truck action plan, and it would be ensuring that money was allocated to make it happen. It would not be introducing a new tax to help those opposite manage a budget they cannot manage; it would be introducing an infrastructure charge that would help fund these projects, that would be good for and that would help the freight and logistics industry and that would benefit the residents of the west. There is none of that in this bill, and that is why we are opposing it. Fundamentally this bill constitutes just a tax. It brings in a 50 per cent fee increase for those who export and import — for those who bring containers in and out of the port.

There is no plan to deal with the freight and logistics industry and no plan to make sure that the port of Melbourne remains the pre-eminent port in Australia. There is no plan at all! No wonder New South Wales is charging ahead. It has a government that understands you have to have a plan, you have to know what you are doing and you cannot just raise taxes and bleed your authorities to make your surplus. You actually have to manage the budget yourself and plan the infrastructure projects that will grow job opportunities. This bill does not do anything to help grow jobs in this state. It will not help anyone. It does not provide the industry with the confidence that there will be a plan for the freight and logistics industry concerning how its members move containers around this state. There is no sense at all of what the priorities of this government might be. In the meantime the people of the west will continue to suffer.

Those opposite have a choice. They can hypothecate money towards the truck action plan. They can implement stage 1 of that plan, which was funded. They can go ahead and complete that stage and move on to stage 2 and stage 3 and at least provide the short-term solution for the people in the west. This

legislation, however, is very far from being something industry can welcome, because it is fundamentally a tax, and this government promised no new taxes. Before the election the coalition said there would be no new taxes. Then a minister appearing in May at a Public Accounts and Estimates Committee hearing was not sure whether there would be a fee at the port or not. Then, in December last year, we found we had a new tax amounting to \$75 million in the first year and increasing at the rate of inflation.

Is this really what industry needs? Industry does not need a tax without a purpose. Industry members need to know that this government will make their freight movement simpler, easier and more efficient. There is nothing in this bill that provides this sector's members with any confidence that they will be able to move any containers more efficiently, more effectively or more cheaply. In fact moving containers will be more expensive, and the tax will continue to grow. If the government is going to look at charges on the industry, it should make sure it is giving the industry something back. This bill gives it nothing but a broken promise, and that is something those opposite should be ashamed of.

Mr MORRIS (Mornington) — I am very pleased to make a contribution to the debate on this amendment to the Port Management Act 1995. This bill is the next step in the process the government is undertaking to restore competitiveness to Victorian ports after 11 years of neglect — after 11 years of de facto sabotage of our ports system. I congratulate the Minister for Ports on the progress he has been making on this agenda. Unfortunately those opposite simply do not understand — as the former government did not understand — that ports represent a significant part of the cost of exports. They simply do not understand that Victoria is a trading state and that our maritime trade is critical to the Victorian economy, critical to the growth of employment and critical for improvements in productivity across the state. It is an integral part of the state economy. They simply do not get it.

During the last Parliament we saw the attempt by the former government to shackle the port of Hastings, to eliminate competition between the port of Hastings and the port of Melbourne, to subsume the port of Hastings into the port of Melbourne and to bury it in terms of opportunity, competition and productivity for decades to come. We undid that travesty with the passage of the Hastings legislation some time ago. That corporation is now up and running; the board is in place and has started work. In relation to the port of Melbourne the former government introduced the onerous, totally impractical and completely unworkable so-called

freight infrastructure charge — the truck tax. Time and again we have seen Labor having a plan for this, a plan for that and a plan for something else. The only thing those opposite do not manage to do is make any sort of link, no matter how tenuous, between the plans and any practical outcomes. The links are never, ever made. The plans sit there. They look fantastic, but, as others have noted, there are no funds associated with them. There are lots of TV ads and glossy print ads, but there are no links in terms of applications.

There is also absolutely no appreciation that when you introduce something like the truck tax there will be different outcomes depending on the model you apply. There is no understanding at all of the impact of something like the truck tax, no understanding of the consumer groups that are going to be hit and no appreciation that in the end it is not the industry that pays; it is the ultimate customer who pays. In the case of the truck tax, two groups were hit: exporters and Australian consumers. Australian consumers would have simply had to absorb the cost — to put up with it — because the trucking industry would not have done it. Trucking industry members do not make such fat profits that they could absorb that sort of impost. Our export customers would have voted with their money and gone elsewhere. That would have been the outcome.

Locally the truck tax was an assault on both the port and the trucking industry. It would have imposed a massive regulatory burden for absolutely negligible benefit because the cost would have been passed on, as I said, to consumers, to exporters and ultimately the intention would have been to pass on —

Mr Pallas — Speaker, I draw your attention to the state of the house.

Quorum formed.

Mr MORRIS — I think that just demonstrates the contempt the opposition has for the ports system and maritime trade in Victoria. Those opposite have absolutely no comprehension of the critical importance of our maritime trade to the economic health of the state.

The port of Melbourne facilitates more than one-third of our national container trade. In the last calendar year 2.5 million 20-foot equivalent unit (TEU) containers were processed, which was up 9 per cent on the year before. Total trade through the port was up 6 per cent on the year before. When you consider the state of economies around the world, the massive restructure that is occurring in Europe and the enormous problems

facing the United States of America and other places, that is an absolutely fantastic result. But those on the other side do not appear to appreciate that. I am sure members are aware of the projection over the next couple of decades of 8 million TEUs by 2030. That would represent truly remarkable growth, and it is critical to the Victorian economy that we facilitate that and do everything we can to achieve it.

Not only was the freight infrastructure charge — otherwise known as the truck tax — bad for the Victorian economy, but there was absolutely no evidence to suggest that it would work at all. There was no evidence to suggest it would achieve the intended reduction of truck congestion or that it would take any trucks off the road. We on this side of the house know — and perhaps those on the other side do not understand — that the port is a 24-hour operation; it operates 24 hours a day, 7 days a week.

A significant proportion of freight movements clearly occur outside the peak periods. The other factor that we understand on this side is that roads in the port precinct are very busy roads. They carry lots of traffic and experience many vehicle movements. Less than 4 per cent of vehicle movements on those roads — in fact only 33 vehicles in 1000 — results in vehicles entering the port precinct; the rest simply go past. It is not just about the port; it is about having the right infrastructure in place to do the necessary job.

Speaking of the right infrastructure, we all recall the commitment of the former government to have 30 per cent of freight travelling out of the port of Melbourne on rail. Those opposite started with 16 per cent, but by the time they left office it was down to 12 per cent. The commitment was 30 per cent, yet they managed to take it down by 25 per cent over that period. That is the sort of infrastructure provision plan they are into. There is no connection with reality at all.

Then there is the tolling system for the truck tax. It was estimated it would cost \$100 million to establish the tolling system, which was more than the total income for the first year. It was yet another Labor plan that not only would have lost money in the first year, but, as the Minister for Education said, it would have been over budget. You can bet your bottom dollar that it would have followed the pattern of so many other projects and lost money year after year. Do not tell me that this was some sort of magical outcome, because it was not.

I am very pleased to support the bill. The proposal is to introduce a port licence fee. New part 2B, which is inserted by clause 5 of the bill, defines the port licence fee, indexation provisions and so on. The impact is such

that once this is introduced — and these are Port of Melbourne Corporation figures — a flat screen TV imported from China will cost an extra 13 cents, which is hardly a big impost on the port. The Port of Melbourne Corporation itself clearly states that it needs to recover the fee of \$75 million in the first year to remain a cost-competitive port. It further states:

Given the relative pricing of other major ports, PoMC believes these aims are not mutually exclusive.

It is excellent legislation, and I commend the bill to the house.

Mr FOLEY (Albert Park) — It gives me great pleasure to rise to make a contribution on this important bill, the Port Management Amendment (Port of Melbourne Corporation Licence Fee) Bill 2011. It is an important bill, not just to this Parliament but to the district that I represent, which has a port in it.

I was intrigued by the member for Mornington's contribution because he has a reputation for being a man who makes contributions of substance. However, his contribution on this bill was sadly cut short by the fact that his own side could not maintain a quorum in support of this apparently important bill. His contribution highlighted the fact that all he could do was heap out — and I counted it — 7 minutes of baseless, evidence-lacking attacks on the former government and a grand total of 35 seconds of defence of his own government's cash grab from Victorian families as a result of this bill.

That pretty much summarises the hollowness of the government's position on this important piece of legislation. Those opposite were elected after saying one thing, but it has taken them 15 months to get a bill up for debate to be doing precisely the opposite. That is why the opposition opposes this bill. We question the government's reasoning for introducing this bill, particularly the licence fee associated with it, given that prior to being elected the government objected to the freight infrastructure charge and promised no new taxes. The coalition has, by its own admission and the admission of the Port of Melbourne Corporation in the consultation undertaken with port users associated with this cash grab, no plans to invest the revenue raised by this tax in important port infrastructure. This is a tax revenue grab on Victorian families, and it will be at the expense of Victorian jobs. Nothing is more certain. This is a grab for consolidated revenue and nothing more.

The member for Tarneit, who is the shadow spokesperson in this area, has highlighted the effect of the 50 per cent increase in the fee for users of the port,

particularly as it replaces the charge introduced by the former government that had a specific application to infrastructure. That was, in relative terms, an efficient instrument compared to the extremely blunt instrument that is provided for by the bill that the Minister for Ports has brought before this Parliament.

Let me demonstrate one particular element of the efficiency of the charges introduced by the former government. That scheme would have enabled industry to manage the issues around the 24-hour nature of the work of the port and the increased number of container and truck movements associated with that, which the member for Mornington was describing. My community suffers significant congestion from freight-related traffic. As the member for Mornington rightly said, it suffers that 24 hours a day, seven days a week, particularly in areas associated with the movements into and out of Webb Dock and the associated freight logistics fields surrounding it. They are the same freight logistics fields that the Minister for Ports's cabinet colleague the Minister for Planning is determined will be turned into a 20 000 unit Fishermans Bend community. With the juxtaposition of those proposed uses, it will be interesting to see who gets in first.

The instrument introduced by the former government would have allowed industry to manage its affairs as efficiently as possible and would have encouraged many of those freight movements to take place outside of peak hours. This blunt instrument that the Minister for Ports has dished up to the house will have no such application. It will do nothing to ease infrastructure shortages in ports because it will not contribute a single cent to dealing with the infrastructure needs of ports, and it will do nothing to encourage the more efficient delivery of containers and more efficient truck movements into and out of the port of Melbourne. It is a cash grab on the industry and a price gouging from every Victorian family.

The Minister for Ports, who is now at the table, stands condemned for continuing the fine tradition of this government that has emerged over the last 15 months of its members saying one thing when in opposition and doing precisely the opposite when in government. This is a government of broken promises and commitments — not just to the people of the district of Albert Park, the port users and those in the freight industry but to all the people of Victoria. This government stands condemned yet again: this bill is an example of the double standards of its members, who said one thing when in opposition and are doing largely the opposite now that they sit on the government benches.

I am glad that my friend the Minister for Ports is here, because he might be able to answer a number of questions about the application of this bill and give some feedback to me as a member whose electoral district has the largest port in Australia operating in part of it. I ask the minister, when he responds later, hopefully, to consider the following: will he release the business impact statement on the impact of the port licence fee arrangements that he proposes in this bill? In so doing, will he specifically address what the port licence fee will cost in terms of jobs in Victoria? In his response, will he also address the following: what impact will this charge have on the comparative performance of the port of Melbourne compared with that of other capital city container ports?

We have heard a lot from this government about competition between ports. We have heard a lot about arrangements for Australia's largest container port, which has been so across many governments and continues to be so under this government. Will the minister deal with the real-life impact on families of his price gouging? Will the minister actually answer a question? Will the minister engage with the industry stakeholders in an appropriate and respectful manner and answer the questions that the industry wants taken seriously? Instead of that, all we have is the minister acting as the bagman for Treasury, delivering from the consumers of Victoria straight into consolidated revenue, with not 1 cent guaranteed to go to port infrastructure.

We hear a lot about this minister's fine proposal for a port at Hastings. Where is the eight-year commitment that we saw when those opposite were in opposition? It has faded ever further into oblivion. When is the money from this price gouge on industry and families going to be delivered to the port of Hastings? Where is the contribution to the doubling of the rail connections to Hastings? Where is this minister's contribution, for which he will be held accountable, to a separate road link to that port? Where is the money for this minister's multibillion-dollar price tag for delivering on the port of Hastings? That money is not there, because in his heart of hearts this minister knows he has no intention of delivering on that.

The minister has set up his development authority. Even when he is retired and long gone, gouging from his pension, under this plan the port of Hastings will continue to be nothing but a development authority. This minister is playing cynical politics. He is playing the bagman for the Treasurer. He is not serious about delivering a single piece of infrastructure support for the port of Melbourne, and therefore he will continue to be responsible for the mounting congestion in inner city

communities, such as those represented by the members for Williamstown and Footscray, and my own community. When those communities start to demand evidence of the fine commitments to delivering results that the minister made when in opposition, as they will, we on this side will be pointing to bills such as this. We will point to the endless commitments he was prepared to give when in opposition to communities such as mine and his failure to deliver on them. At that time this government will be held to account.

I will conclude my remarks by restating the questions that I ask the minister to address in his summing up. Will the minister release the business impact statement on the impact of the port licence fee? What will that cost in jobs? What will be the implication of the charge on the comparative performance of the port of Melbourne compared with that of other capital city container ports?

Mr WELLER (Rodney) — It gives me great pleasure to rise this afternoon to speak on the Port Management Amendment (Port of Melbourne Corporation Licence Fee) Bill 2011. I will start by making some observations on the contributions made by speakers on the other side. It comes as no surprise that the member for Narre Warren North was unsuccessful in his bid to be elected Deputy Leader of the Opposition. He is obviously the only one on the other side who understands that the fee proposed by the bill is, in the member for Narre Warren North's own words, a simple, efficient fee and a simple, efficient way of addressing the matter — unlike the member for Albert Park, who said that the port licence fee is an inefficient, unproductive way of charging.

In reality, the freight infrastructure charge was going to cost \$100 million to collect \$75 million a year. That was a good way to go backwards. Where was the money going to go? We should call it the Tarneit truck tax, because the member for Tarneit, who is at the table, proposed the freight infrastructure charge in 2010 when he was the Minister for Roads and Ports. It was little more than a money grab. We have heard from the other side that this fee was going to be for building infrastructure, but where did it go? It went straight into consolidated revenue; it was a straight out grab for money.

I had conversations about this issue with the member for Tarneit when he was ports minister. I was also approached by people in industry who said, 'Paul, you are our local member. This will not be good for industry in our area'. Within my seat of Rodney we have the grains, dairy and livestock industries, and there are also some exports by the horticultural industry.

Those in the horticultural industry said, 'This will not be good for our industry. This is an inequitable charge and it will drive people out of the export business'. I went to the former ports minister and said that there was industry concern and that he needed to find a fairer system. My concern fell on deaf ears: he did not want to hear it. As I said, the tax would have significantly disadvantaged transport operators and rural and regional businesses.

What happened? After the election of the Baillieu government, industry came to the new Minister for Ports and said, 'This is an inequitable tax; we cannot support it. Can you find a fairer way to distribute the burden?'. We listened to industry, as we do on this side of the house, and decided that this was an inequitable imposition, and we found another way in consultation with industry. We got a fairer model, and while industry would prefer to have no imposition, it is quite happy it has been changed.

It is not just me saying this. In the *Sunraysia Daily* of 23 July 2011, Delphine Christien from the Victorian Employers Chamber of Commerce and Industry (VECCI) wrote:

The previous government had planned to impose a charge on all freight containers entering and leaving the port, under the guise of an initiative to reduce congestion.

The argument was that the imposition of the FIC — freight infrastructure charge —

would encourage trucks off roads and onto rail but when only 3.3 per cent of vehicles travelling in the area actually enter the port ...

She went on to say:

VECCI felt the FIC in its initial form was really just another tax grab —

here we have the Brumby government with another tax grab —

... that would have increased costs for small business owners and exporters, especially those located in regional areas.

VECCI was also concerned the FIC would increase the cost of finished imports and imported inputs, adding to inflationary pressures for business and consumers.

I wonder where the member for Albert Park is now? He should have read this. He should be in here listening. The article continues:

Melbourne is still Australia's most competitive large container port, even after the imposition of a container levy to pay for channel deepening, but the FIC could have changed that.

The state government's alternative — a new licence fee on the port of Melbourne — is not ideal, but is better than the proposed FIC.

'Better' — this is VECCI saying that.

The government says the Port of Melbourne Corporation 'will then be able to recover through its normal system of fees and charges'.

We will not be setting up another system of bureaucracy that will gobble up the fees and charges.

VECCI has been a long-time advocate for removing the FIC and is glad the state government consulted with industry and acknowledged its concerns about the red tape burden the FIC would impose on operators using the port.

I move on to comments made by the Victorian Farmers Federation (VFF) in the *Geelong Advertiser* of 26 July last year. Peter Tuohey from Pyramid Hill, a good representative of the farming community —

Mr Noonan — Who?

Mr WELLER — Peter Tuohey. The article states:

The FIC would have acted as a tax on exports leaving the port of Melbourne and had been proposed by the previous state government.

VFF farm business and regional development committee chair Peter Tuohey welcomed the move, saying the VFF had worked in a coalition of business groups to oppose the FIC and was happy to see it dropped.

'Farmers are pleased by Minister Napthine's decision to drop this charge', Mr Tuohey said.

'Our consistent position has been to oppose it from day one'.

The charge, proposed by the former government, would have only applied to container trucks entering the port of Melbourne. It was a charge on exports and would have reduced the competitiveness of industries whose goods were destined for international markets, such as agriculture.

'Victorian farmers export large volumes of containers through the port of Melbourne each year; this charge would have directly impacted on farm gate values', Mr Tuohey said.

Dairy farmers would have been hugely affected with the FIC calculated to impose an additional \$2 million on the supply chain for the dairy industry in Victoria.

That is the VFF saying that, not us. It appreciates that we have a minister who actually consults with industry.

The member for Thomastown does not understand how the FIC would have impacted on jobs in regional Victoria. The members for Thomastown, Footscray and Albert Park all said that the port licence fee would have an impact on jobs in regional Victoria. It would be far better than the impact of the FIC. The FIC's impact was on exports, and we are exporters. It would have cost

jobs in country Victoria. The exports set the price. It would have had huge impacts on the dairy and grains industries. The members for Thomastown and Footscray forgot that the FIC was going to consolidated revenue. They were saying, 'Yes, the port licence fee is going to consolidated revenue', but where was the FIC going? I say to the member for Tarneit, who proposed the trucking tax, that it was going to consolidated revenue.

The member for Footscray also commented on how we should get more freight on rail so more can get to the port. No-one argues with that. We will be judged by our deeds, not by our words. What actually happened in the 11 years from 1999 to 2010? Over those 11 years the percentage of freight transported by rail to the port dropped from 16 per cent to 12 per cent.

Mr Noonan — What's your target?

Mr WELLER — Words do not matter; it is about actions. Members of the Victorian community will judge political parties by their actions. The actions of the Labor government from 1999 to 2010 were to reduce rail freight being sent to the port from 16 per cent to 12 per cent. I fully support the bill.

Mr CARBINES (Ivanhoe) — I am pleased to rise to speak on the Port Management Amendment (Port of Melbourne Corporation Licence Fee) Bill 2011. I particularly make reference to some of the points made by the member for Rodney. He pointed out that the community will make a judgement about the government of the day and the decisions it makes — just like farmers will make decisions about who they will support at the next election when they see that the government, which is meant to represent their interests in this place, seems to have forgotten something. It was reported in metropolitan newspapers this week. For example, an article in the *Age* yesterday says:

With farmers already struggling to cope with the impact of the high dollar, the port said wheat exporters would pay an extra 84 cents per tonne, while exporters of powdered milk will pay an extra \$1.18 a tonne —

thanks to this new tax introduced by a Liberal-Nationals government.

I question whether members of The Nationals have stood up in their caucus meetings and party room and defended the rights of farmers and businesses when talking about this bill to ensure that they do not have taxes imposed on them that will affect their capacity to make a living and export their goods and services to other states and international destinations through the port of Melbourne.

What else have we found out? We also know that the Port of Melbourne Corporation has warned that the price of everything — from imported cars, tractors and televisions to wheat exports and cruise shipping — will rise as it lifts a raft of port fees and charges to recover the cost of the government's new tax. This government spruiks about the importance of the cost of living, but it is now going to impose a tax on exporters, those who work in the freight industry, stevedores and those who use the port of Melbourne. Those costs will flow on to the costs of goods and services purchased by people in Victoria; they will flow on to the costs incurred by those people who work in a competitive industry that sends goods overseas to help strengthen and broaden productivity in Victoria. These things are going to affect people in Victoria and our economy under this new tax.

What else do we know in relation to this big new charge on freight movements in Victoria? The Victorian Farmers Federation has expressed its concerns about the freight infrastructure charge that was proposed by the previous government, but it acknowledged that those funds will be spent on infrastructure improvements in Victoria. Representatives from the VFF and the Victorian Employers Chamber of Commerce and Industry have said they expect that any funds raised from this new tax should be invested in improvements in the port and infrastructure at the port.

This export tax threatens competitiveness. It is a blunt instrument that does not provide any plan, vision or information about how and where the government plans to spend these new funds for the benefit of Victorians. How do we know that? We know that by reading the *Weekly Times* of 7 February under the headline 'Port fee better than tax: Baillieu'. Premier Baillieu obviously prefers the language 'port fee' rather than 'port tax', but we will expose it for what it is in this house, just like we exposed the fact that when the Baillieu government refers to 'sustainable government', it actually means job cuts and 3600 public servants losing their jobs under this government.

Mr Baillieu was reported in the *Weekly Times* article to have said:

We'll have more to say about port infrastructure before too long ...

But he does not say he will impose a tax with no plan and no information about how the tax funds will be invested in infrastructure or freight productivity in Victoria. He seems to say, 'We will impose a tax and expect Victorians to pay for the on-flow of those costs now. One day down the track perhaps we will say

something about port infrastructure'. That is just not good enough.

The previous infrastructure charges proposed by the former government were part of a system that ensured that the money would be invested in freight logistics, but this new plan has no vision. This government has its hands in the pockets of those who seek to make a living in Victoria and invest their services overseas.

I note, particularly in terms of the new tax, that there has been no word from this government about how it will promote rail freight delivery over road freight delivery. We have not heard anything about this tax that would provide incentives to try to encourage those who transport freight by road to invest in and use rail freight. That is what we would like to see. I know that, because I represent an electorate that is made up of northern Melbourne suburbs. Trucks constantly block Rosanna Road. We have an opportunity here. The government chooses to introduce a new tax with no vision and no plan to ensure that the \$75 million that this tax will raise annually will be invested in improving the amenity of suburbs, neighbourhoods, cities and towns in northern Melbourne by getting trucks off Rosanna Road and out of suburban suburbs, getting more freight to rail and using the new onerous contributions that Victorians are expected to make because of the flow-on costs to goods and services that they have to purchase.

This government has no plan to ensure that those future revenues it will raise are going to be spent to improve the productivity of the port and the amenity of people in suburbs who have to put up with more trucks and road vehicles travelling through their suburbs. That is just not acceptable to the people of the Ivanhoe electorate, who have made those points clear time and again.

We also know that the government went to the last election saying there would be no cuts to services, no new taxes and no cuts to jobs. The Minister for Ports, who is at the table, has made it very clear that he will be the jobs cutter and the tax collector for this government. That is his plan. That is the only vision we have seen in relation to this matter and in relation to the port of Melbourne. We have also seen that this big, new charge will affect any businesses that use the port, whereas when the Labor Party went to the last election, it made it very clear through the Victorian transport plan that the freight infrastructure charge would raise up to \$1 billion as part of that \$38 billion plan. It was a plan that was transparent, open and able to be commented on by people in the community, whereas this is a charge, a tax, that is being raised by this government that makes no concessions and provides no incentive to try to improve the way in which freight moves around

Melbourne and affects the amenity of people in the suburbs. We see nothing that relates to how this fund is going to be spent on improving freight transport here in Victoria.

This bill does not talk about funding any new Liberal government vision for transport solutions and nothing has been listed in the bill. We also note that the business impact statement and the regulatory impact statement have not been provided to the house, the Labor opposition or industry and businesses. If the government is so confident that this new tax is so good for investment and productivity in the port of Melbourne, that it is so good for Victorian farmers and exporters, that it is so good for freight futures here in Victoria, then why not release the business impact statement and the regulatory impact statement to back up the government's claims? But no, in a very transparent way of course, the government is refusing to release the material.

That is a great disappointment not only to me but also to those who are sole owners or sole transport providers. There might also be truck drivers who may need to make decisions about what the costs will be to their businesses that will be passed on to them through the Port of Melbourne Corporation in relation to this government's new tax and how they can try to manage their businesses and their affairs to make sure that they can account for how this tax will affect their businesses and their operations and interactions with the port of Melbourne. No information has been provided to them, and there is nothing in the bill that requires the Port of Melbourne Corporation to detail where it is going to flow on the costs of collecting the tax for the government. There is nowhere in the fees and charges to say where this tax is going to come from. That makes it hard for those who interact with the port, for individual business owners in trying to forecast and plan to manage their businesses, plan for any flow-on costs that will inevitably be passed on to them and plan the way they do business.

It is a great shame that the government is refusing to be open and transparent in providing the business impact statement and the regulatory impact statement to back up its claims that this is a great new tax for those who use the port of Melbourne and seek to improve on their job prospects or boost their businesses here in Victoria. We know that it is just a new tax. We know that there is no vision and that it is not supplemented with any infrastructure plan to boost productivity or to improve the port. We know that there is nothing here that provides visitors with an opportunity to plan ahead as to how the flow-on effects of this tax and these charges will affect their businesses. The Labor Party has made it

clear that it opposes this tax, this grab for more money, with no plan for improvements in the port or improvement in amenities in the suburbs that affect road and rail freight.

Ms MILLER (Bentleigh) — I am delighted to rise to speak in the debate on the Port Management Amendment (Port of Melbourne Corporation Licence Fee) Bill 2011. I also acknowledge that the Minister for Ports is at the table and that he has been very instrumental in initiating this fee. I point out that the member for Ivanhoe clearly does not understand the farming industry, because Peter Tuohy is reported in the *Geelong Advertiser* of 26 July 2011 as having said that this licence fee was a fairer system. The member for Albert Park seems to have a short-term memory loss, because it was his party when in government that was going to spend \$100 million on setting up and running costs. That is outrageous, and our government is going to make it a fairer and more equitable fee for all port users.

It is interesting to note that the Victorian Employers Chamber of Commerce and Industry chief executive, Mark Stone, released a media statement stating that the chamber was delighted that the state government had consulted with the industry. The Victorian Farmers Federation (VFF) also acknowledged in a media release that farmers were pleased that Minister Napthine had made the decision to drop the charge, stating that it had been opposed to it from day one. The decision to drop the freight infrastructure charge (FIC) and replace it with the port licence fee will make the VFF one of the winners from this announcement.

The Victorian Freight and Logistics Council has also been delighted and has acknowledged that this licence fee is a step forward compared to what was being offered by the previous government as a tax. Furthermore, the Victorian Transport Association has also acknowledged that it is a win for common sense. Clearly industry itself is saying that this is a very good initiative as opposed to the one that the previous government offered.

In relation to the history of the port of Melbourne, I note that it is the largest container port in Australia and accounted for 36 per cent of the national container trade in 2011, which is significant. The other important aspect of note is that in 2011 there was an increase of 9 per cent in container movement through the port of Melbourne and it is projected to go from 2.5 million to 8 million by 2030. We have talked about creating jobs in Victoria. We have talked about the opposition claiming that the government does not have a plan. However, we have a big plan, and it is certainly well on

the way to contributing to job creation for people in Victoria, so things are looking brighter for Victorians. Through creating jobs we are also creating confidence in the employment sector and a bright future for all Victorians.

The other important thing to note is that the freight industry and the port of Melbourne are critical to the Victorian economy and that both are experiencing good growth, which is good for Victorian jobs, for families and for our economy. Why would we not consider abolishing a tax and introducing something more like a licence fee that makes things fairer and more equitable. We are actually widening the cost rather than just taxing those small trucking businesses involved in import and export that would be taxed when they enter the facility. By simply scrapping Labor's FIC truck tax the coalition government is protecting Victorian jobs and small businesses, especially regional producers, who would have shouldered the full burden of the tax.

We heard earlier today from the government about the impact the fee would have on farmers. Certainly in Victoria's economy agriculture is very important. It is important that we look after our farmers, because essentially they are the ones who put food on our tables. If we tax them, the cost of food and basic essentials will go up and that will impact upon families. This initiative is good for Victorians and families.

I have been talking to the people in my electorate. I wanted to get their opinion on this bill. The people I spoke to said that they saw it as a positive step and they could see that it would create hundreds of jobs, and indeed in time it will. It will impact on the exports from the industrial precinct in my electorate. A unique part of my electorate is industrial, and we do actually have some people who export some goods there, so this will definitely have some impact on them, and that is a good thing.

The purpose of imposing an annual port licence fee on the Port of Melbourne Corporation will in fact be a better option than a tax. It will impose an annual set fee of \$75 million for the first year and an indexed fee to increase annually in line with the consumer price index. This will replace revenue Labor had put in its forward estimates from an unequivocal infrastructure charge. Essentially this bill will be a step forward for Victorians, and the industry it will impact upon will also benefit.

Labor's freight infrastructure charge was little more than a tax on trucks entering the port of Melbourne. Labor tried to sell the freight infrastructure tax by claiming that the revenue would be spent on

infrastructure as part of its unfunded \$38 billion Victorian transport plan, but that was not effective. That is very disappointing, because after 11 long years the infrastructure within Victoria has not improved. Here we see a considerable amount of money that could have been utilised in an important area but in fact was not.

To collect the FIC Labor was proposing a tolling system that, as I said before, would have cost more than \$100 million to set up and run. That is an extraordinary amount of expenditure, and really the Victorian people were not going to get anything significant from it. It would have disadvantaged exporters and transport operators in rural and regional Victoria as it would have imposed a tax on every load carried by a truck operator entering the port. It would also have had an impact on small trucking industries. The small business people are essentially those whom this government is seeking to look after. We are not looking after the big mates who may give us our financial incentives; we are actually looking after the small business people. The money that the former government was proposing to raise would have gone into consolidated revenue and would not have been allocated for infrastructure. That is important to acknowledge.

This bill is consistent with the government's clear vision to fulfil its long-term objectives. By introducing it we are going to fix the problems of Labor's unworkable tax and we are going to build for the future. We are going to build for the future of Victorians, of small businesses and of the Victorian economy. From a global perspective this bill will make us more competitive. Our competitive advantage will be good so that we can kick-start the economy. We will get things going. We will get more stability and more people wanting to spend money. I think that at the moment, whether we look at things from a state, a national or a global perspective, there is a lot of insecurity. The economy is a big part of that, so I think that this particular initiative of ours in introducing this fee as opposed to imposing a tax as proposed by Labor will be a big thing for business.

Finally, as I have said, the bill is consistent with the government's clear vision. By achieving its long-term objectives of fixing the problems and building the future for Victoria and by raising revenue from the port licence fee this bill will make a significant contribution to the government's commitment to deliver on its vision. I commend the bill to the house.

Mr LANGUILLER (Derrimut) — The opposition will oppose this legislation, the Port Management Amendment (Port of Melbourne Corporation Licence Fee) Bill 2011. If anything, this could be called the

John Furphy legislation. I am reminded of John Furphy. Members in this house would be well acquainted with the Australian idiom to which John Furphy gave birth; it came all the way from Shepparton to Broadmeadows. However, today the furphy comes from the electorate the minister represents all the way to the port of Melbourne.

Let me say that if there is one thing we know, it is that there was no policy. Many questions have been raised by a number of members on our side. The member for Albert Park, and the member for Tarneit and shadow Minister for Ports, challenged the minister to explain why it is that we do not have a business impact statement for this policy. We challenge the minister to come into the chamber and explain this. Why is this bill a furphy? It is because the now government when in opposition opposed the very legislation it has now brought into this place. It is important to quote what the Minister for Ports himself has said on this matter. In this place on 25 May 2010 he said:

... the port of Melbourne freight infrastructure charge ... is a big, new tax on every truck that goes in and out of the port of Melbourne, and it could be anywhere between \$120 to \$200 per truck; that fee is scheduled to raise \$1 billion over 10 years — in other words, that is \$1 billion that our exporters have to pay and top up, which will make them less competitive on world markets. It is \$1 billion that consumers will have to pay on imported goods that come into this state.

He then went on to say:

It is a new tax. It is a big, new tax.

Indeed it is a big new tax, and the worst part of it is that the minister and the government do not give any indication of where that new tax and revenue will be invested. This is unlike the previous government, which is now in opposition. We said that we would invest the revenue in ports, roads and transport infrastructure.

The minister and the government have suggested that there is support from the industry for this policy. Where is it coming from? Let me tell you, as the shadow minister eloquently put it to the house, there is no support for this policy from the shipping and freight industry. Why should there be? Why should there be support for this policy from an industry that is doing it tough as it is, even though it is growing? Why should there be, when in fact we know that the shipping industry is already on the record opposing this unfair increase in charges to port users?

The state of Tasmania also opposed this tax. Tasmania considered it an unfair and discriminatory impost on a small island state. So much for the Premier's words when he said that he would support all stakeholders.

The minister said he opposed it then, and he cannot explain now what he is going to do — other than what we know, which is simply that it will go into general revenue for the Department of Treasury and Finance.

Why should we oppose that? Let me tell you. Typically one would say, 'Well, there would have been a policy. The then opposition would have developed and articulated a policy to take effect when it came to government'. However, if one looks at the Port of Melbourne Corporation's 'Port licence fee — background' information paper dated December 2011, one sees that it says:

The Victorian government introduced the Port Management Amendment (Port Melbourne Corporation Licence Fee) Bill 2011 into Parliament on 6 December.

It further states:

The introduction of this bill —

which we are now debating —

... is in keeping with the media release of 13 July issued by the Minister for Ports, the Honourable Dr Denis Napthine, MP ...

Important legislation has been introduced into this Parliament which will have an impact on the running, the efficiency and the effectiveness of the port of Melbourne, on the truck industry and on the shipping industry, and it has been done on the basis that the Minister for Ports produced a press release. That is stated in the Port of Melbourne Corporation document.

This bill is not serious. This is not the type of legislation that one requires in difficult times in the world. We are all proud of our port of Melbourne. It is the best port there is in the land. It currently manages, as I understand it, something in the order of 2.2 million containers and that needs to position itself to manage about four times more in a number of years — about 8 million containers, as I understand it. This legislation is not serious. It will punish users and it will punish farmers. We are shocked and surprised that The Nationals in particular failed to understand how this will have an impact on farmers and on those associated with the good work they do on the land.

A number of issues arise from this. Firstly, the port licence fee is in addition to the normal dividends paid by the Port of Melbourne Corporation to the state. Secondly, the port is not obliged to specify which charges will be adjusted and by what amount to give effect to its port licence fee obligations. Thirdly, the port's charges — the basis upon which it will raise the licence fee — may be subject to price regulation by the

ESC (Essential Services Commission), but there is no express referral. Accordingly, this relies on ministerial referral or alternatively an ESC own-motion investigation.

The Brumby government had a plan: the Victorian transport plan. The member for Footscray and the shadow Minister for Ports explained that the government could implement stage 1 and in fact it could move on to stage 2, and it is important to do so now. That is why we oppose this legislation — because it will inevitably punish users. This legislation will be an indictment of this government and indeed of the minister. He knows only too well that there is no commitment to the improvement of infrastructure, whether of ports, roads or freight.

If we are fair dinkum about wanting to make our economy more competitive, wanting to make the port of Melbourne more competitive and, last of all — but perhaps this is not important to the minister — wanting to alleviate the many issues we have in the western suburbs and around the electorates of the member for Albert Park, the member for Footscray and indeed myself, what we need is to have a government that commits to infrastructure, commits to the improvement of service delivery and develops proper policy — not one which bases its report, as the Port of Melbourne Corporation has itself pointed out, on a press release that the minister released some time in December last year. I think this is an indictment of the government, I think it is shameful and I think this legislation will become the furphy of this minister and will haunt him.

Mr WATT (Burwood) — I take great delight in standing to support the Port Management Amendment (Port of Melbourne Corporation Licence Fee) Bill 2011.

One thing that opposition members need to learn — and I am happy to give them a lesson here — is that the Port of Melbourne Corporation licence fee is not a tax. It is an internal financial relationship between the government and one of its agencies — not a tax. Analysis indicates that collecting the licence fee in this way would ensure that it is within the state's constitutional powers. It is not a tax and it is not an excise, which is the domain of the commonwealth government. It is not a tax.

An honourable member interjected.

Mr WATT — Thank you very much. Now that we have got that lesson out of the way I thought I would move on to another lesson. History shows that the

previous Labor government in its collection of the freight infrastructure charge — the FIC — —

Mr Nardella — There was no collection.

Mr WATT — It would have gone into consolidated revenue. Many people here are talking about what would have happened with it. We do not know what would have happened with it because that was in the future. All we know is it was going into consolidated revenue.

Now that we have got that lesson out of the way, let us move on to the actual bill, why we had to introduce it and what it is fixing. This bill moves to scrap the previous government's onerous and unworkable freight infrastructure charge and removes a significant regulatory burden from the transport sector. The fee will apply from July 2012 at the commencement of the act. It will replace the former government's freight infrastructure charge, with revenue of \$230 million — —

Mr Nardella — Proposed!

Mr WATT — The fee had already been factored into the forward estimates in the state budget. So much for 'proposed'!

The port of Melbourne is Australia's largest container port. It is extremely important to Victoria's economy. It accounted for 36 per cent of the national container trade in 2011, and during the 2011 calendar year the port of Melbourne recorded a 9 per cent increase in total container volumes and saw a total trade rise of 6.6 per cent. The annual movement of containers through the port of Melbourne is predicted to quadruple from the current 2.5 million to 8 million by 2030.

I hope everybody in this house understands that the port of Melbourne is extremely important to Victoria's economy and Australia's economy. Government members believe we should have an equitable way of collecting this revenue that had already been put into the forward estimates by the previous government. I am not sure how it was proposed when it was already provided for in the forward estimates, but we will let the member for Melton call it 'proposed' if he likes. The administrative and financial burden that would have been imposed on business works out to be about \$100 million over 10 years. It is an extremely high cost. I think it has worked out to be more than the first year's worth of revenue, so it is extremely costly for business and the Victorian economy.

What we are doing is applying a fairer approach rather than the — —

Mr Nardella — So it's a tax!

Mr WATT — No, it is not a tax, as I said. You have to learn, Don. It is not a tax.

The DEPUTY SPEAKER — Order! The member for Burwood should ignore interjections.

Mr WATT — I appreciate the advice, Deputy Speaker. This is in contrast to the FIC, which would have been imposed solely on the trucking industry. We have done quite a bit of consultation on this bill, and the transport industry thinks it is a great idea. Industry stakeholders think it is a good idea — —

Ms Beattie — Name them!

Mr WATT — I am happy to name them. They are the Victorian Transport Association, the Victorian Farmers Federation (VFF) and the Victorian Employers Chamber of Commerce and Industry (VECCI). They all think it is a particularly good move. It is much better than the previous government's freight infrastructure charge, which was not equitable, not good for the economy and not good for the port.

The VFF vice-president, Peter Tuohey, said that it was a good idea and is reported in the *Geelong Advertiser* of 26 July 2011 as saying:

One of the major flaws of the charge was its narrow collection base, limited only to export containers, with the intention of using this revenue to — —

Ms Beattie interjected.

The DEPUTY SPEAKER — Order! I ask opposition members to cease interjecting, and I ask the member for Burwood not to respond to interjections.

Mr WATT — Once again I apologise. I will not respond to any more interjections.

VECCI also welcomed the scrapping of the proposed FIC. The chamber felt it was just another tax grab, pointing up the difference between a tax and the currently proposed charge. VECCI has been a long-time advocate for the removal of the FIC, because it understands that it was not good. The Victorian Transport Association chief executive, Phil Lovel, also endorsed the new system.

Any increases under this bill, any increases in port charges which result from the imposition of a licence fee, are unlikely to have a significant impact on port users or the cost of living. Initial calculations by the Department of Transport indicate that the port licence fee has the potential to raise the cost of imported goods

through the port of Melbourne by very small amounts. So we will not have a huge charge. I heard previous speakers talk about a 13 cent extra cost on the price of a television set. That is not extremely onerous compared with the previous government's freight infrastructure charge.

I know how members opposite love to know about the media and what it is saying, and I will supply a few examples. The *Australian* of 13 July 2011 reported 'Baillieu scraps truck tax in favour of levy'. I do not think anybody here can seriously say that they thought Tim from Tarneit's terrible truck tax was a good idea. We will be removing it, even though others thought it was only proposed. A *Country News* article of 18 July 2011 is headed 'VFF applauds axing of freight charge'. A Ballarat *Courier* article of 20 July 2011 is headed 'New fee a better option'. Also an article in the Ballarat *Courier* of 20 July 2011 is headed 'Government scraps freight charge'.

These are positive tax drops. I know those opposite love to be engaged with the media and think that everything the media says is extremely important, so there is the story. All of those newspapers are saying it is a very good idea and we should be scrapping the FIC. We are scrapping it. I applaud the minister for introducing this bill and for removing Labor's unfair and inequitable approach to the freight infrastructure charge. By broadening the base we are removing some of the burdens and lessening the burden on those who will be affected. It is interesting that those opposite think introducing a tolling system — which would be \$100 million over 10 years — and removing some of the revenue that could come to the government is a good idea. I commend the bill to the house.

Mr HERBERT (Eltham) — I am happy to speak to the Port Management Amendment (Port of Melbourne Corporation Licence Fee) Bill 2011, or the Port of Melbourne Tax Bill, as it is known around town. It is interesting that we are debating the bill at a time when we heard from the Premier at question time today about the great growth in activity in the port of Melbourne. In their private moments even those opposite might be willing to attribute that growth to the major port infrastructure project put in place by the previous government, the centrepiece being the channel deepening project, which many opposite opposed at the time. In fact some even campaigned against it. However, now we see them crowing about the extra activity coming into the port, which was a primary aim of that major port infrastructure project.

When Labor launched its \$38 billion transport plan, \$17 billion of which would have direct benefits for the

port, those opposite opposed that also. When Labor flagged its freight infrastructure charge to pay for some of that massive infrastructure, those opposite opposed it. I am not an expert on port management — unlike the previous speaker! — and I will not lecture the house about it, but the following are the facts.

We hear government members crowing about the benefits of the port but professing opposition to the major plan and direction that we put in place so that the port of Melbourne could cope with the growth. Now they are in government, we see these people who opposed the well-planned infrastructure investment solution implementing a massive tax of \$75 million per annum with compound interest of about a billion dollars over 10 years, which will go straight into consolidated revenue, without a single plan, without one thing on the table to address the problems the port has. There is nothing about road infrastructure or rail infrastructure. The tax is simply a direct tax without any benefit to the port system or the efficiency of the port system.

One of the best contributions to the debate on this bill was from the member for Footscray, who outlined the real problem with this tax: it totally ignores the transport action plan and it totally ignores the WestLink tunnel and the Webb Dock connections. It totally ignores the need to get rail to the port, which many Nationals members of the coalition understand is needed by farmers because it is part of their competitive advantage in exporting their goods. This tax does not address any of those issues. It also does not address the problems of people and communities living around the port who constantly have more trucks through their suburbs, because there are no plans to get those trucks off the road. There are no plans to get the trucks off the roads and no plans for rail — it is simply a tax.

It is amazing how the members on the back bench have been pulled into line. We have heard those opposite railing against big government, against government imposts on businesses and against the regulation of exporters. Now, when we see a massive tax on exporters and businesses, there is silence. They fall into line to support this tax — a tax that will be a massive impost on businesses and any exporters in this state. They are quiet about this tax, which will be a massive impost on consumers as the goods are not just —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I ask government members to come to order.

Mr HERBERT — Thank you, Deputy Speaker. It is good to get some support. It is a tax that is not just about putting an impost on farmers and exporters; it will also carry through to consumers.

As well as our opposition to the tax aspect of the bill, there are a number of other issues that need to be addressed. There is no information about whether the port licence fee is in addition to the normal dividends. Of course it will be, but what will the normal dividends be? Will they be discounted? The port is not obliged to specify which charges will be adjusted to give effect to the port licence fee obligations. We are told by the Essential Services Commission that the basis upon which the port will raise the fees may be subject to price regulation, but there is no express referral there. It relies on ministerial referral. None of these things are addressed in the bill. These are the sort of safeguards that we would have liked to have seen, both for the port and for the general public. Is it any wonder that, despite some of the vested interest groups that have supported it, there is major opposition to this bill from shipping companies, from major industry groups and from those who rely on exports and imports to make their business a success?

That is why we oppose the bill. We oppose the bill because it is bad for the port. It is just another tax. We oppose it because it is bad for exporters and importers, and it is bad for consumers. It is not part of a much-needed plan for rail, car and truck infrastructure coming in and out of the port.

Honourable members interjecting.

Mr HERBERT — You can have red herrings! These are serious things. What are you doing about rail freight into the port? What are you doing about trucks coming out of it? What are you doing about congestion on roads?

It is not just about the port. What about the extra traffic coming off the Western Ring Road? We had a plan there, but that all seems to be gone. We have not heard what the government is going to do about the problem of trucks coming off the Western Ring Road. What we have here is a coalition that promised no new taxes when it was in opposition. It promised low taxes and to look after exporters and industries. What does it do? The exact opposite: it throws a billion-dollar tax onto all the users of the port. What is even more disturbing about that is that this massive tax comes at a time when industry and exporters can least afford it.

The government talked down the Victorian economy when it was first elected. It is now mismanaging the

Victorian economy. We are seeing unemployment rise and go through the roof. We are seeing exporters having great difficulties with the high Australian dollar. This is another impost on them. It is simply not a good move for Victoria, and it is not justified. It is simply a cash grab that the Minister for Ports is implementing. We do not even know if the government has a plan for rail and road infrastructure and the port of Melbourne down the track, whether there will be another cash grab or whether the Minister for Ports will have to get his handbag out again and go around and gouge more money out of users of the port. That is the reason we are opposing this bill. I cannot commend the bill to the house.

Debate adjourned on motion of Mr CRISP (Mildura).

Debate adjourned until later this day.

BUILDING AMENDMENT BILL 2012

Statement of compatibility

Mr CLARK (Attorney-General) 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 Building Amendment Bill 2012.

In my opinion, the Building 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 bill will amend the Building Act 1993 to provide that the Building Practitioners Board (BPB) has jurisdiction to deal with registered building practitioners whose registration has become suspended provided that the BPB inquiry commences no more than three years after the date of the suspension.

Human rights issues

1. Human rights protected by the charter act that are relevant to the bill

The bill does not raise any human rights issues.

Conclusion

I consider that the Building Amendment Bill 2012 is compatible with the Charter of Human Rights and Responsibilities Act 2006 because it does not raise any human rights issues.

Robert Clark, MP
Attorney-General

Second reading

Mr CLARK (Attorney-General) — I move:

That this bill be now read a second time.

The bill sets out amendments to be made to the Building Act 1993 ('the act') which will ensure that:

The Building Practitioners Board (BPB) has jurisdiction to deal with registered building practitioners whose registration has become suspended provided that the BPB inquiry commences no more than three years after the date of the suspension;

It is clear that a disciplinary inquiry commences from the date when the BPB serves on the practitioner a written notice of an inquiry under s 178(2) of the act.

Prior to 2001, doubt existed as to whether the BPB had power to hold an inquiry where a registered building practitioner ceased to be registered and, as a result, ceased to be a 'registered building practitioner.'

There was concern that a building practitioner could avoid the consequences of inquiry by voluntarily allowing their registration to fall into suspension, most easily by failing to renew their annual registration.

In 2001 the act was amended and the current section 179A of the act was added in order to address this concern.

The second-reading speech for the 2001 amendment indicated that the purpose of that amendment was to enable the BPB 'to conduct inquiries into the conduct of registered building practitioners whose registration has been suspended.' The explanatory memorandum stated that the 2001 amendment was to enable the BPB 'to hold an inquiry into the conduct of a building practitioner who was registered at the time the conduct occurred but whose registration has since been suspended by the board'.

However the actual wording of the 2001 amendment provided that the conduct that could be inquired into, in relation to a person whose registration had been suspended, was 'limited to conduct that occurred during the three-year period that immediately preceded the suspension'.

After the 2001 amendment, the BPB view was that, provided a building practitioner was registered at the time an inquiry commenced, the inquiry could proceed to conclusion if the practitioner's registration was suspended during the course of the inquiry.

However in 2010, in *Ariss v. Building Practitioners Board*, His Honour Bell J, of the Supreme Court, held

that, notwithstanding that Mr Ariss was registered as at the date of the commencement of the inquiry, the 2001 amendment operated to prevent the BPB from commencing, or continuing, an inquiry into the conduct of a practitioner whose registration is suspended where the relevant conduct occurred more than 3 years prior to the suspension.

His Honour commented that:

Whilst the present terms of the legislation demand this conclusion, I have noted the concerns of the board about the consequences. The purposes of the statutory scheme are to ensure the proper standards of building and construction, to protect the public from delinquent and unscrupulous building practices and to maintain the standing of the building industry. The purposes are weakened when some builders are able, and seen to be able, to avoid regulatory scrutiny of their practices by delaying inquiries and 'orchestrating' their own suspension.

Accordingly amendment, as provided in this bill, is required in order to protect the purposes of the statutory scheme as referred to above.

The amendment is required because if a building practitioner engineers his or her own suspension so as to avoid the disciplinary jurisdiction of the BPB, usually by failing to pay the annual renewal fee, that practitioner may subsequently seek re-registration.

Legal or administrative difficulties may then arise if re-registration were to be refused, or if there were attempts made to recommence a BPB inquiry that was previously abandoned due to the suspension or loss of jurisdiction.

In terms of transitional provisions, the old s 179A will continue to apply where a building practitioner has been suspended (and the suspension has taken effect) before the commencement date of the amendments. The new law will apply if the builder is suspended (and the suspension has taken effect) after the commencement date.

I commend the bill to the house.

Debate adjourned on motion of Mr WYNNE (Richmond).

Debate adjourned until Wednesday, 22 February.

CARERS RECOGNITION BILL 2012

Statement of compatibility

Ms WOOLDRIDGE (Minister for Community Services) 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 Carers Recognition Bill 2012.

In my opinion, the Carers Recognition 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 purpose of the bill is to recognise, promote and value the role of carers and care relationships. The bill contains eleven principles addressing carers and people being cared for in a care relationship. The principles recognise and value carers and guide the community's understanding of the significance of care relationships. Organisations are required to consider the care relationship principles when developing policies and providing services. The bill also provides reporting and compliance obligations for all organisations and associated providers covered by the bill.

Human rights issues

The bill promotes and strengthens rights in the charter act, while one clause engages but does not limit rights in the charter act.

1. Human rights protected by the charter act that are promoted by the bill.

The bill positively engages and promotes the right to recognition and equality before the law. The bill will provide legislative recognition of the important contribution that carers make to society. The bill provides guidance for people and organisations that engage with carers about how they should be treated and how carers can be involved in the assessment, planning, delivery and review of services that impact on them and the care relationship.

The bill positively engages and promotes a person's right to enjoy their cultural identity. The principles recognise that the cultural identity of both the carer and the person being cared for are to be taken account of in all matters relating to the care relationship.

2. Human rights protected by the charter act that are engaged but not limited by the bill.

The purpose of the care relationship principles is to guide organisations' understanding of the significance of care relationships. Organisations are required to consider the care relationship principles when developing policies and providing services. The care relationship principles provided for in the bill could potentially engage the right of the person being cared for, not to have their privacy unlawfully or arbitrarily interfered with under section 13 of the charter act. This could occur by requiring organisations to include carers in the decisions made about the person being cared for and sharing personal information with the carer.

However, clause 6 states that in the event of any inconsistency between the Carers Recognition Bill and any other act, which includes the Information Privacy Act 2000 or

the Health Records Act 2001 the provisions of the other act will prevail. Therefore, a person's right to privacy would continue to be protected through the safeguards set out in these acts and the information privacy principles and the health privacy principles.

Conclusion

I consider that the Carers Recognition Bill as introduced to the Legislative Assembly is compatible with the Charter of Human Rights and Responsibilities Act 2006.

Hon. Mary Wooldridge, MP
Minister for Community Services

Second reading

Ms WOOLDRIDGE (Minister for Community Services) — I move:

That this bill be now read a second time.

The Baillieu government is committed to recognising, promoting and valuing the role of Victorian carers. The Carers Recognition Bill 2012 will raise the profile of people in care relationships in the community and ensure that carers can be appropriately involved in the treatment of and planning for, the people for whom they care.

Victoria's 700 000 unpaid carers give selflessly of themselves and make a huge contribution to the community. Carers often take on the role because they have a personal relationship with the person for whom they care or because they want to make a contribution to the community. While incredibly rewarding, for many of these Victorians, caring can be a full-time role. It is also a role that can have significant impacts on a carer's life.

Despite these challenges, through their continued effort and dedication carers make a valuable social and economic contribution to the whole community. They deserve our support, our respect and recognition for what they do.

The Baillieu government made an election commitment to introduce legislation to recognise, promote and value the role of carers. This bill honours that commitment by formally recognising the valuable contribution of carers and the cornerstone that care relationships are for many Victorian families.

The purpose of the bill is to formally acknowledge the contribution that carers, and people in care relationships, make to the social and economic fabric of the Victorian community. The bill will align Victoria with other states and territories that already have recognition legislation for carers.

The focus of the bill is on supporting care relationships. This is a step forward from the recognition acts in other states which generally focus exclusively on the carer. Victoria's bill acknowledges that carers are in a shared arrangement involving the person providing care and the family member or friend for whom they care. Each person in a care relationship should be respected, recognised and supported as an individual, including when the care relationship changes.

There are three core elements to the bill. First, the bill defines carers and care relationships broadly enough to encompass the diversity of care arrangements. The definition includes young carers, kinship and foster carers, and people providing support and assistance for someone with a mental or chronic illness as well as those supporting ageing parents, the frail aged or a person with a disability.

A carer is defined as a person who provides ongoing support, assistance or personal care to another person in a care relationship. The care arrangement may be subject to change and may include one or more people providing care or being cared for.

This bill is not intended to recognise care relationships where a person is paid to care for others, or where a person cares for others on a voluntary basis through community organisations or as part of education and training.

The bill contains 11 principles addressing carers, people being cared for and care relationships. Their purpose is to recognise and value carers and to guide the community's understanding of the significance of care relationships.

The principles acknowledge carers for their contribution and recognise the unique knowledge they hold of the person in their care. This includes the principle that where appropriate, carers should be included in the assessment, planning, delivery and review of services that impact on them and the care relationship.

The principles state that people in care relationships should be respected and recognised as individuals. For example, carer participation in employment and education should be considered when decisions are made that impact on them and the care relationship.

Victoria already has a statement of principles in the Victorian charter supporting people in care relationships. This bill is consistent with the charter in recognition of the work by stakeholders who invested in and contributed to its development. The charter will

be updated to reflect the new legislation and will support implementation of the bill.

Organisations bound by the bill will be required to consider the principles and take action to reflect them when developing and implementing support for people in care relationships.

State government departments, entities established by statute, and local councils as well as service organisations (and their subcontractors) funded by government to provide programs and services to people in care relationships must comply with the bill.

The bill will not apply to schools and early childhood services. They are already required to recognise, promote and value the role of parents or guardians as carers of their children.

Organisations that are required to comply with the bill will need to ensure that their staff have an understanding of the principles and how they apply to their working environment. They must also take all practicable measures to ensure that people in care relationships receiving services from them are aware of the care relationship principles.

Organisations will be required to report publicly, in their annual reports, on their compliance with the principles in the bill. However, in line with the government's commitment to cut red tape the reporting or compliance burden on organisations will not be onerous.

The bill will not give individuals the right to institute legal proceedings or to challenge the validity of decisions made. Nor will organisations be required to provide funding, employment, education or training services to people in care relationships.

Ensuring the bill works optimally over time is important. Consequently, in a reasonable time frame, the government will undertake a review of the operation and effectiveness of this bill to ensure it continues to respond to the needs of carers and people in care relationships.

The bill will guide policy development and delivery of services by government agencies and organisations that engage with carers. But legislation on its own is not enough. That is why the government is also developing a carer action agenda that will establish a long-term plan to recognise carers and reform the support and services available to people in care relationships.

This bill marks an important step in the government's carer action agenda and supports measures that the

government has already undertaken to improve services for carers.

Importantly, the government has publicly supported efforts to establish the national disability insurance scheme. Victoria has offered to host the first stage of implementation of the scheme in Victoria. This reform has the potential to transform the lives of eligible people with a disability and their carers.

We have also undertaken to reform respite services so that families and carers receive efficient, simple and timely support. This included a funding commitment through the 2011–12 state budget for the development and implementation of new and innovative respite options.

Now for the first time, Victoria will have legislation that sets out clear expectations for people and organisations that engage with carers about how they should be treated. And it delivers on our commitment to recognise carers and people in care relationships in law, and to value the great contribution that they make to our community.

The Baillieu government is committed to ensuring Victorian carers receive the recognition they deserve.

I commend the bill to the house.

Debate adjourned on motion of Mr WYNNE (Richmond).

Debate adjourned until Wednesday, 22 February.

CITY OF MELBOURNE AMENDMENT (ENVIRONMENTAL UPGRADE AGREEMENTS) 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 (the Charter Act), I make this statement of compatibility with respect to the City of Melbourne Amendment (Environmental Upgrade Agreements) Bill 2012 ('the bill').

In my opinion, the bill as introduced to the Legislative Assembly is compatible with the human rights protected by the charter act. I base my opinions on the reasons outlined in this statement.

Overview of the bill

The purpose of the bill is to amend the City of Melbourne Act 2001 to improve the procedures relating to environmental upgrade agreements under part 4B of that act. The bill specifically amends provisions to ensure existing mortgage holders are not disadvantaged by the levying of a council charge on the land.

An environmental upgrade agreement is a tripartite agreement between the Melbourne City Council, a building owner and a lending body. Under an agreement, the lending body advances funds to the building owner to undertake approved environmental upgrades and the council levies an 'environmental upgrade charge' on the land to recover the funds which are passed on the lending body. This provides a level of security for the lending body that allows funds to be made available at lower costs for the building owner.

Human rights issues

Section 20 of the charter act protects property rights. It states that 'A person must not be deprived of his or her property other than in accordance with law'.

Clause 4 of the bill engages section 20 of the charter act because it addresses procedures to protect the rights of a person who holds an existing mortgage over land that is proposed to be subject to an environmental upgrade charge. As the bill provides increased protection for these rights, it is not a limitation on the rights protected by the charter act.

The bill requires the owner of the building to provide the council with details of all mortgage and statutory debts outstanding on the property and to give the council a signed statutory declaration attesting to the accuracy of the information provided. The statutory declaration must also verify that all existing mortgagees have been notified of the proposed charge.

In addition, the provisions in the bill will prohibit the council from entering into an environmental upgrade agreement if it has not received the signed statutory declaration or if the total statutory and mortgage debts on the land, including the proposed environmental upgrade charge, will exceed the value of the land before the upgrades are made.

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 City of Melbourne Amendment (Environmental Upgrade Agreements) Bill 2012 will amend the City of Melbourne Act 2001 to improve the processes that the Melbourne City Council follows when entering into environmental upgrade agreements.

The bill also amends section 5 of the City of Melbourne Act 2001 to remove a conflict with section 6C, which

was inserted by the City of Melbourne Amendment Act 2011.

An environmental upgrade agreement is a tripartite agreement between the council, a building owner and a lending body. The purpose of these agreements is to help fund environmental upgrades of commercial buildings in the city of Melbourne.

Under an environmental upgrade agreement, the lending body provides funds to the building owner to pay for approved environmental works. The council then levies an 'environmental upgrade charge' on the property to recover the funds, from which it repays the lending body.

The council utilises these agreements, as part of its 1200 Buildings program, to encourage and support building owners to undertake upgrades that improve energy and water efficiency or that otherwise enhance environmental sustainability.

The council has identified obstacles to the effective implementation of environmental upgrade agreements and has specifically requested the amendments in this bill to assist it to continue to develop and expand its program.

The bill will improve processes for entering into environmental upgrade agreements in two ways. It will help secure rights of existing mortgage holders and facilitate extending the option of agreements to property trusts that own multiple properties.

The rights of existing mortgage holders will be enhanced by requiring the council to ensure that all existing mortgage holders are informed in advance of the proposed agreement and to ensure that the total statutory and mortgage debts on the property do not exceed the value of the property before any enhancements. This is achieved by preventing the council from entering into the agreement until it has obtained the relevant information and a signed statutory declaration from the property owner.

The ability for property trusts to enter into environmental upgrade agreements with the council will be improved by making specific provision to deal with mortgages that are held over multiple properties.

I commend the bill to the house.

Debate adjourned on motion of Mr WYNNE (Richmond).

Debate adjourned until Wednesday, 22 February.

PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2011

Second reading

Debate resumed from 7 February; motion of Mr R. SMITH (Minister for Environment and Climate Change).

Mr BULL (Gippsland East) — I rise in support of the Parks and Crown Land Legislation Amendment Bill 2011, which has some very significant benefits for my electorate of Gippsland East. Of particular note is that this legislation creates a new national park, the Lake Tyers State Park. It implements the longstanding recommendations of the former Land Conservation Council and adds to what is already a very impressive national park network in my region that is enjoyed by many thousands of people annually.

Lake Tyers and the Lake Tyers park are just east of Lakes Entrance, and this bill consolidates a very large area — around 8600 hectares — of land that was predominantly Crown land into a recognised national park. The park includes warm temperate rainforest and many natural attractions. Those who have been to the area will know that Mount Nowa Nowa and Boggy Creek Gorge are unique and spectacular sights. For a number of years now the area in question has already been managed as a national park is, and it already offers a number of great opportunities for outdoor activities. Camping, picnicking, bushwalking, fishing and direct access to the waters of Lake Tyers are all enjoyed in the area. Importantly the Lake Tyers waterway was not included in the park, but the land immediately around the waterway was. That is what will receive the national park status as part of this legislation.

What is important is that those terrific recreational pastimes that have been enjoyed in the park over recent years will continue to be enjoyed. A particular point is that the National Parks Act 1975 will also be amended to enable recreational hunters to be authorised to carry firearms in the park, subject to conditions. I see this as very important. These provisions are intended to apply to some specific areas — Pettmans Beach camping area and the Ewing Morass State Game Reserve — at the appropriate times of the year. The reason for this is that these have been traditionally very popular areas during the hog, deer and duck hunting seasons. It is very important that people who have been able to pursue those pastimes in recent years will be able to continue to do so.

Beekeepers will also be able to continue to access park areas. It goes without saying that the apiary industry is

very important not only to my electorate of Gippsland East but also to wider Victoria. It has a key role to play in our state's food security, and it is important that we look after that industry. This will certainly be catered for. Given the proposed creation of this national park there has been some correspondence with my office about whether people will be able to enjoy all the pastimes they traditionally have in these areas. It is important that the message gets out there that that is certainly the case.

My electorate of Gippsland East is well known for its national parks. We have some terrific parks up there. I know that during the holiday period a number of MPs enjoyed a fair amount of time, combined, in the electorate of Gippsland East enjoying the wilderness experiences. One of those was our environment minister. Prior to that I was delighted to have had the minister down in the far east of the state to have a firsthand look at the opportunities in our national park areas and the issues facing public land management and really get a good understanding of the area.

The bill also creates the Gippsland Lakes Reserve on Raymond Island, which is another wonderful part of my electorate. This legislation meets an obligation in the recognition and settlement agreement between the Gunaikurnai Land and Waters Aboriginal Corporation and the state. It also settles a native title claim with the Gunai Kurnai people and includes an obligation on the part of the state to expedite the creation of Lake Tyers national park and the Gippsland Lakes Reserve on Raymond Island. Indeed these are very significant areas of Aboriginal history and cultural importance.

As members of the house will know, this bill also provides extensions to existing parks right across Victoria, and one of those is the Gippsland Lakes Coastal Park, another park in my area. The addition will be an area at the south-western end of the park which has small sections of unreserved Crown land and a government road. This will go a long way to consolidating that park. All the areas mentioned — Lake Tyers, Raymond Island and the area to be added to the Gippsland Lakes Coastal Park — have been being managed by Parks Victoria for some years, so there will be no change there. No additional resources will be required or costs incurred; they will continue to be managed as parks as they have been in the past.

I certainly got out into the wilderness over the holiday period. Unfortunately I picked the week in January when it poured rain. However, I certainly enjoyed the national parks of Gippsland East. Probably I have nearly cured my wife of ever wanting to go camping again. Nevertheless it was a very good experience. I

welcome these changes to our already extensive and very impressive national park system. I commend the bill to the house.

Mr HOWARD (Ballarat East) — I am pleased to speak on this bill. I note that we are very fortunate to have across this state a terrific park system that is very extensive. It has been well supported by the Labor Party over a number of years, and I am very pleased that we have preserved so much bushland across our state and so many varied flora and fauna habitats. This means Victorians and visitors to this state can appreciate the great diversity of natural habitat we have across the state, as well as its natural features.

In the last term of the Labor government we saw the national park system and the parks system across this state extended further, with some extensions in the Murray area to the river red gum territory, box ironbark national parks and also the aquatic national parks off our coastline. These extensions have added more significant areas of flora and fauna to our parks system. It is great that those areas have been preserved and that there is now even more opportunity for people to appreciate them.

Being a keen bushwalker and having family members who are also keen walkers, I have found that there are great opportunities to appreciate the Victorian outdoors, either on my own or with different groups of family members. My parents are enthusiastic older bushwalkers, and I have taken my children out walking too. It has been terrific over this summer to do some of the coastal bushwalks down near Port Campbell and to walk with my family in the Mount Cole State Forest. There is great variation between Victoria's coastal parks and the Alpine National Park, where we were able to walk during some stages last year, as well as the drier, more arid parks in the west of the state. There is such a range of opportunities out there. It is great that we are able to support the parks system and see it maintained.

The bill before us is for the most part a sensible bill. It is a continuation of the work of the former government in regard to the creation of the Lake Tyers State Park and the Gippsland Lakes Reserve, which, as we have heard from previous speakers, follows on from the native title discussions that we have had with the Gunai Kurnai people in that part of Gippsland. It has been terrific that we have come to this arrangement with the Gunai Kurnai people to see these parks established, and as traditional owners of the land they will jointly manage the reserve with the state government. This side of the house supports that part of the legislation.

We also support the part of the legislation that changes the name of the St Arnaud Range National Park, a park that was created under Labor to preserve box ironbark country. That park is going to have its name changed to the Kara Kara National Park in recognition of the original owners and custodians of that land, those being some of the Dja Dja Wurrung people.

We are pleased to support the majority of this legislation. The part of this legislation about which we are concerned is that which relates to being able to collect firewood from the Gunbower and Barmah national park areas. An arrangement that was in place to see that phased out by June 2011 was extended, partly because there were rains that occurred last year that stopped people accessing some of the wood on the ground. However, to have it extended to 2015 is a decision that is hard to understand in that it is not logical — but it is easy to understand when members look at the other decisions that this government has taken.

It is of concern to this side of the house that timber collection licences are no longer required under this government and that this government has in effect established a free-for-all for people to collect firewood from parkland across the state. This was something that previous governments were careful to see did not happen so that we had control over people who collected firewood from state forests and parkland. To see that system turned over is a matter of great concern, not just to this side of the house but to some of the major organisations that seek support for our national parks, in particular the Victorian National Parks Association and the Northern United Farm Forestry Group. Both of these groups have expressed concern about this aspect of the legislation.

The Victorian National Parks Association has seen, as have others across the state, a number of steps taken by this government and the so-called environment minister that are taking this state backwards in terms of its preservation of our environment. The Japanese claim to undertake whaling for scientific purposes, and this government has tried to use the same excuse to allow cattle to be in the Alpine National Park — they are doing it for 'scientific purposes'. They have taken a leaf out of the book of the Japanese in that sense, but it has not fooled anybody. Many see it as a direct affront to the protection of the Alpine National Park. That decision is at the forefront of concerns about the way this government looks to protect our park system.

The firewood strategy has come along behind that, and there are many other issues in relation to our national park system, not to mention the great number of

negative decisions that are being made in terms of responding to our need to address global warming. We have seen wind power going backwards and all sorts of other negative things, like the removal of the premium tariffs for people installing photovoltaic cells. A lot of backward steps have been taken on that score, and it must be very embarrassing to be the Minister for Environment and Climate Change in the coalition government. No wonder he gets a bit excited about youth activities!

As I have said, this piece of legislation follows up on a number of actions taken by the former government in regard to the establishment of the parks in the Lake Tyers and Gippsland areas. On some of the other issues, including firewood collection, members on this side continue to express our concerns about what this government plans to do to protect our environment, and in that we support the Victorian National Parks Association and so many other groups. Having said that, I acknowledge that many aspects of this bill are at least stepping in the right direction and acknowledging things that the former government had addressed.

Mr KATOS (South Barwon) — It is my pleasure to rise this evening to speak in support of the Parks and Crown Land Legislation Amendment Bill 2011. In summary, the bill creates a new state park and adds areas to existing parks and reserves. It fulfils the state's obligations to the Gunai Kurnai people and it takes on board and responds to various community views, facilitates investment in tourism infrastructure and improves the workability of some legislation.

The bill creates the Lake Tyers State Park and adds areas to the Alpine, Chiltern-Mt Pilot, French Island, Grampians, Kinglake, Lower Goulburn, Mitchell River, Mornington Peninsula and Warby-Ovens national parks. It also creates the Gippsland Lakes Reserve near Paynesville and adds areas to the Macedon Regional Park and the Otway Forest Park.

The Lake Tyers State Park will cover 8645 hectares and the Gippsland Lakes Reserve will cover 215 hectares of land. As the member for Gippsland East mentioned earlier, most of that land is already under the management of the Department of Sustainability and Environment or Parks Victoria, so the creation of the park and reserve will not have a significant impact on budgets. The bill also gives effect to the Gunai Kurnai recognition and settlement agreement of October 2010. It grants Aboriginal title over the land at Lake Tyers and the park will be managed jointly by the state and the Gunai Kurnai people.

The St Arnaud Range National Park will be renamed the Kara Kara National Park. This park was created in 2002 and the name change reflects community sentiment resulting from an extensive consultation. Kara Kara means gold in the native Dja Dja Wurrung language. The name change has the support of the local indigenous communities and the Northern Grampians shire as well as various local user groups and residents groups.

The bill also makes amendments with regard to the Arthurs Seat chairlift. It was a great tourist attraction on the Mornington Peninsula for almost 50 years. The chairlift had to be closed in 2006 due to safety concerns. That was unfortunate from the tourism perspective, but it needed to be done for the safety of users. The bill extends the lease on the chairlift from 20 years to 50 years. This is a logical course of action as the chairlift needs to be completely replaced, and that requires a considerable investment. Extending the term to 50 years gives the consortium that has won the right to build the chairlift a longer tenure and more certainty.

In the same area there is the Arthurs Seat lookout, which was built in 1935. That also will be replaced under the current proposal for the chairlift. Unfortunately the tower has significant corrosion and structural issues. It had to be closed as it also was unsafe for the general public. The new chairlift will incorporate a station with a viewing platform to replace the existing lookout tower.

In 2010 the then government introduced legislation that created the Barmah and Gunbower national parks. That legislation contained a provision allowing for collection of sawlog harvesting residue in the parks until 30 June 2011. However, due to the floods in January last year, much of that residual firewood became inaccessible. Therefore the government has extended the period for the collection of that firewood until 30 June 2015. It must be noted that provisions establishing the designated areas, the nature of the wood that can be collected and the use of that wood are not altered but are the same as in the original legislation. This is a common-sense approach, as I do not know anyone who could collect firewood that is under water or inaccessible because of flooding.

Mr Weller interjected.

Mr KATOS — As the member for Rodney points out, you would need a snorkel to do so. There is still a considerable amount of wood on the ground, and it is a common-sense approach to allow additional time to collect that wood, as firewood is very important for

heating, particularly among country communities in rural areas.

The bill also reclassifies the Frankston Natural Features Reserve as a nature conservation reserve. That will allow walking, picnicking and nature study during daylight hours, but cycling, fishing and dog walking will not be permitted. The member for Frankston engaged in a genuine consultation with his local community and he acted in accordance with the views of the vast majority — that is, approximately 92 per cent — of the people who responded to the draft master plan.

In conclusion, this bill shows the coalition's longstanding commitment to protecting the environment and to enhancing and protecting Victoria's natural assets. Despite what those opposite might say, the Liberal Party has a fine record on the environment. In 1970, under the then Bolte government, the first Minister for Conservation, the Honourable Bill Borthwick, was appointed. The same Bolte government established the Land Conservation Council, and that council was later replaced by the Environment Conservation Council under the Kennett government. In 1970 the Bolte Liberal government also introduced the Environment Protection Authority, one of the guardians of the environment in Victoria. I was born in 1970, as well. The Liberal Party has a fine record on the environment. I commend the bill to the house.

Ms DUNCAN (Macedon) — I rise to speak on the Parks and Crown Land Legislation Amendment Bill 2011. It is always interesting to follow members of this new government when they stand up and the best they can do is point to measures that were introduced some 45 years ago by a previous Liberal government as an indication of their green credentials. One need just look at this bill to understand where members opposite stand on the environment.

I must say that this bill is indicative of some of the things that those opposite have done since they have been in government. They are incredibly inconsistent in what they do. It is very difficult to put a tag on members of this government when they do such strange things, including things that are the opposite of what they might do in another area. This bill has in it a classic example of that.

I have no idea what the Frankston nature conservation reserve area was or is or what process was followed to establish the reserve. There is a piece of land in Frankston that has obviously been well used by members of the community for a whole range of activities, including walking their dogs. Now the

reservation has been changed and people will not be allowed to walk their dogs there. While now there is a park in Frankston where people cannot any longer even walk their dogs, in the meantime in the north of Victoria members of the government are opening up national parks to full-scale, unregulated firewood collection.

At the same time in our alpine national parks, which represent something like 3 per cent of the entire body of Australia and so are incredibly rare, this government has allowed cattle grazing again. This is the first government in this country in living memory, I think, that has allowed introduced species back into a national park. Every other government in the history of this country has worked towards removing introduced species from national parks. We have tried to get rid of foxes, rabbits, sambar deer and all sorts of things that have impacts on national parks because most governments have understood that national parks are pretty important areas. They are usually fairly unique as well, and none are more unique than alpine national parks. There is no more unique part of Australia than these tiny little pieces of land we still have left preserved. But no, this Baillieu-Ryan government reintroduces cattle grazing.

The previous government went through an enormous process to remove those cattle. It went through a scientifically rigorous process to try to convince some of these people about this. The Nationals will clearly never be convinced of anything based on science. 'If it stands, cut it down; if it runs, shoot it'; that still seems to be the philosophy that has guided this government. I suppose it is not surprising, as it is in coalition with members of The Nationals. The National Party was completely neutered during the Kennett government years and it is clearly determined that that will not happen again, so it is running the environment policy of this government. In this bill we see the two extreme examples of this government: absolutely no ideology behind any of its environmental policies and no science behind any of its policies. That is what I find really scary about this government.

Getting back to the firewood collection aspect of the bill, I burn wood because I have no other form of heating in my house, and I understand it is an incredibly important issue in rural areas. One of the things members of my community pushed hard for was to be allowed to collect firewood on roadside reserves. I do not think any of them in their best case scenario would have imagined that you could collect firewood without a permit in the national parks referred to in this bill and also on Crown land across the state. None of them were wanting to collect firewood without a permit. They all

assumed they would have to have a permit; they absolutely assumed there would be some regulation for the collection of firewood. I suggest that people go out to see what a coupe can look like when people are collecting firewood. These are people who have collected a permit and are in designated collection areas in recently logged coupes, and it is a scary thing. For a start, you have people who would not know one end of a chainsaw from another getting in there and crawling over each other trying to get to this firewood. It is extraordinary that the government thinks there should be no regulation of that at all.

Some years ago members of the Labor government looked at firewood collection around the box-ironbark forests, and part of what it looked at was who collects firewood, where they collect it from, how much they collect and how much the average person who is relying on firewood collection needs to collect each year to keep a normal house warm over a normal winter season. The information we were able to get came almost exclusively through the firewood collection permit system. Had there not been a permit required, we would not have had a clue how many people were collecting firewood, who relied on it, how much they needed, where they were getting it from and how well the system was working.

All of that information helped form the basis of our government's policy and would presumably have informed future governments about how we collect firewood into the future, because this is getting increasingly difficult to do in a sustainable and safe way. That is now gone — and gone for all time presumably — because this government cares zip about the environment. It can dress it up and extend a few regional parks, and I am grateful for the extension to the Macedon Regional Park, which again stands in stark contrast to the actions of the Kennett government when it tried to flog the lot off. We are grateful that at least in that area it has learnt something.

Some of the other positions this government takes on the environment are incredibly dumb and difficult to understand or rationalise in any way, shape or form. Certainly streamlining the approvals processes is useful, and as I said, so is extending some of the parks to create others and changing the names of a few parks. They are all useful things, and we would certainly not oppose those aspects of this bill. But it is drawing an incredibly long bow to allow some of the features in this bill to be passed. I am pleased our shadow Minister for Environment and Climate Change, the member for Bellarine, has proposed a sensible amendment to this bill, which I hope the government accepts, but

presumably it will not because of its particularly arrogant view that it has the answers to all these things.

Again I would like to point to the issue of firewood collection, because this is a really backward step. I say this as someone who represents a community where we have been trying to extend the areas in which firewood can be collected, and there are some parks around us — Cobaw, for example — where the community wants to be able to collect firewood, and I support that. But doing this in an unregulated way is incredibly dangerous, and I believe the government will reverse this step because our forests will be so denuded by this open slather that in time it will have to change its position.

I add that in 2009 a Melbourne University report on the ecological impact of firewood collection stated:

Twenty-one species of native birds are considered to be threatened by firewood collection in Australia; 19 of these species occur in Victoria.

Surprise, surprise, this report was removed from the Department of Sustainability and Environment's website after the report was highlighted by the Victorian National Parks Association.

Ms Miller interjected.

Ms DUNCAN — Again I hear the ignorance of those opposite carping and carrying on. The member for Bentleigh is incredibly disappointed that no-one is looking at her and that no-one has ever been looking at her.

The ACTING SPEAKER (Mr Thompson) — Order! I ask the member to come back to the bill.

Ms DUNCAN — But nonetheless I suggest that perhaps Melbourne University knows a little bit more about the environment than the member for Bentleigh.

Mrs BAUER (Carrum) — I rise to speak on the Parks and Crown Land Legislation Amendment Bill 2011. This bill amends the National Parks Act 1975, the Crown Land (Reserves) Act 1978, the Forests Act 1958 and the Water Industry Act 1994 to create new park and reserve areas of approximately 10 000 hectares. This bill affects Lake Tyers State Park and Raymond Island in Gippsland Lakes Reserve, which are both magnificent and well-loved parks in Victoria. The bill reclassifies Frankston Reservoir Natural Features Reserve as a nature conservation area. The bill includes a range of other amendments, including changes to facilitate investment in a new chairlift at Arthurs Seat.

We are fortunate in Victoria to have a plethora of unique parks and reserves. A common day trip for those of us in the Carrum electorate in south-eastern Melbourne is to travel to the Mornington Peninsula and beautiful Arthurs Seat. There is plenty to do around famous Arthurs Seat, whether it be bushwalking, running, picnicking, enjoying some of the beautiful local cafes or restaurants or the spectacular views. It is hard to not fall in love with the area.

Although most parks affected by this bill are not in my electorate, some parks, like the Arthurs Seat State Park, are affected, and they are well utilised and loved by the people I represent who live in areas from Aspendale to Seaford. Until 2006 the chairlift going up and down Arthurs Seat was a familiar sight and a welcome attraction that drew tourists from all over the world. When I was a child and a teenager my parents would take members of our family who were visiting from overseas to admire the magnificent view. A visit to the chairlift was an annual event. In May 2006 at least eight tourists were stranded on the Arthurs Seat chairlift due to a mechanical failure. Fortunately none were injured, but the chairlift has been closed to tourists since.

New section 32CA of the National Parks Act 1975, which is substituted by clause 4 of the bill, will enable the minister to lease the land for the purposes of using the chairlift and visitor facilities for up to 21 years or, when specific circumstances are met, for up to 50 years. One of those specific circumstances is that it must be in public interest to grant a longer term lease. The purpose of this is clear: the Arthurs Seat chairlift is such a large undertaking that the operator needs the security of knowing that it will have a suitable time period to recover costs and return a profit. The passing of this bill will also encourage private investment in this facility by ensuring that there is only one lease arrangement for the operation of the chairlift rather than separate leases for sections of the chairlift being required over roads on Arthur Seat. This will be done by adding a delineated area of air space that is at least 6 metres above the road to the Arthurs Seat State Park. I commend the minister and his team for their highly lateral approach to solving the problem of a multiple lease scenario. By making these innovative changes to our legislation, the coalition government is supporting and encouraging necessary investment in local tourism and job creation.

This bill will also reclassify the Frankston Natural Features Reserve as a nature conservation reserve. Frankston Natural Features Reserve began its life as the Frankston Reservoir. After the decommissioning of the reservoir in 2006 a period of extensive community consultation began. A working group was commissioned to undertake a study of the site, and

relevant documents were used to provide advice to the appropriate authorities on the future use of the land within the Frankston Reservoir Reserve. This reserve has long been promoted as an area of great importance by the Victorian Liberal Party.

My esteemed colleague and a member for South Eastern Metropolitan Region in the other place, Inga Peulich, advocated for this reserve in 2008. After having conducted her own mail-out she voiced community concerns about the value of retaining a water body, the importance of protecting native wildlife and vegetation and the necessity for a fire management plan. It was encouraging to see these community concerns resonating. There was no sale of this important community asset in the way that the former government sold other important state assets. Instead the ownership of this land was transferred from Melbourne Water to the state and reserved under the Crown Land (Reserves) Act 1978 so that the Frankston Natural Features Reserve plan could begin to take shape.

Since the 2010 state election the Minister for Environment and Climate Change and his team have been working hard to complete the draft master plan of the Frankston Reservoir. This plan was developed through extensive consultation with the public, including the recent formal consultation period from mid-September to early October 2011. The consultation process involved a variety of forms and included a staffed information display at the Frankston Sunday Market, a drop-in information night, discovery days and a mail-out of the plan to over 130 people who had previously registered their interest.

By listening to the voices of people in our local community, and because of his dedication to the local environment, the minister has been instrumental in reclassifying the Frankston Natural Features Reserve as a nature conservation reserve. It is a classification that will give further protection to the significant flora and fauna within the reserve's boundaries. By reclassifying the park and promoting its status to that of a nature conservation reserve we are protecting a park of historic and natural significance for future generations. I commend the minister on his vision and commend all those involved in the process, including the member for Frankston, for their insight in relation to this important local reserve. There will still be a capacity for this park to host recreational activities as long as they are consistent with the status of the reserve. This marks the beginning of a new chapter in the life of this unique suburban reserve which is home to many different species of flora and fauna.

In addition the bill amends the National Parks Act 1975 and the Crown Land (Reserves) Act 1978 to create approximately 10 000 hectares of new parks and reserves. I note the contribution of and pay tribute to the late Ms Karma Hastwell, who donated 27 hectares of land to be added to Kinglake National Park. It is generous acts such as this that help to shape our wonderful state for future generations. This bill provides Victorians with further opportunities to enjoy our natural environment and ensures that not only can the current generation enjoy these parks but we can be confident they will be protected and well cared for for the enjoyment of future generations. For all these reasons I commend the bill to the house.

Mr FOLEY (Albert Park) — It gives me great pleasure to rise and for about 8 minutes make a contribution on the Parks and Crown Lands Legislation Amendment Bill 2011. As we have heard discussed by many honourable members, this bill does a range of things across the portfolio of the Minister for Environment and Climate Change, but it also confirms what we all know — that is, that the minister has lost control of his portfolio. I suggest to the member for Bellarine that rather than directing her questions, as she so ably did, to seek amendments to the government's position, perhaps she should have addressed them to the Minister for Agriculture and Food Security, because it is fairly clear that minister is really driving the whole agenda of the government in this way and the Minister for Environment and Climate Change has been reduced to being the messenger. After what we heard at question time today, that may well also be extended to the portfolio of youth affairs, and we look forward to the Minister for Agriculture and Food Security extending his portfolio reach well beyond its current boundaries.

This important bill does a range of things in creating a number of additional parks and reserves across the state and making good some very worthy arrangements in the former St Arnaud Range National Park to rename it the Kara Kara National Park. It makes some important changes to the Arthurs Seat chairlift area, which has been described by other members as an important part of the Mornington Peninsula's tourism infrastructure.

I am prepared to be convinced, as I heard the member for Frankston so forcefully advise us the other day, that the bill also reclassifies the former decommissioned Frankston Reservoir into the new Frankston Nature Conservation Reserve. It is an area, as we have just learnt from the previous speaker, that a member for the South Eastern Metropolitan Region in the Council, Mrs Peulich, took great interest in. It is amazing what the interests of Mrs Peulich are when it comes to areas

of reserves and areas such as green wedges, for instance. Mrs Peulich has taken great interest in these, together with her friends in previously secret organisations such as Business First, who took a similar interest in some of these areas.

The ACTING SPEAKER (Mr Thompson) — Order! There should not be attacks on Council members in this chamber. The member should return to the bill.

Mr FOLEY — Acting Speaker, I take your guidance and will act accordingly.

This government has brought before us a fairly pedestrian but not unimportant bill which corrals a range of areas that deal with the way public lands and public assets should be managed in an appropriate way. As my colleague the member for Bellarine, who is the shadow Minister for Environment and Climate Change, correctly stated, this bill has one significant failing. That failing goes to the area of the extension of period allowed for firewood collection in the Barmah and Gunbower national parks. Here we can see the hand of The Nationals across these areas. The member for South Barwon correctly pointed to the Liberal Party's proud history in government on conservation and environment issues over many decades. It is a pity to see in this particular area that the hand of The Nationals has been let loose on this bill because, as the member for Bellarine has adequately described, we have a concern about clause 13 of the bill, which allows for an extension of the collection period for sawlog harvest refuge in these national parks. As members know, The Nationals have sought to oppose a whole range of national park extensions and are on the record, quite ferociously, in doing so.

This bill seeks to extend the collection arrangements until 30 June 2015, as has been confirmed by government speakers and in material provided to the opposition. The public policy reason for this is apparently due to the inclement weather and floods that occurred during the collection season just gone. Under a calendar that operates in the district of Albert Park, 2015 is in fact a substantially longer period than 12 months, and it would have been prudent under that same public policy approach to ensure that such an extension, if justified on the basis of a one-year problem faced in the last season, be for one year. That might have been a reasonable proposition about which members could have a sensible debate, but to have an unregulated, open-slasher extension until 2015 shows that The Nationals have been let loose on this bill and on the public policy and the environment. That is the price that the coalition must pay. The price is that once

you get beyond the boundaries of Melbourne, the Minister for Agriculture and Food Safety, the member for Swan Hill, is in charge. That is all there is to it, and that extends to areas such as wood collection.

We can see the power of the Victorian Farmers Federation and its former union bosses, who are littered across the other side of the house, in the policies of the Liberal-Nationals coalition government. The VFF is a fine organisation that collectively represents the aspirations of farmers and their communities in all sorts of areas, but when it comes to letting loose some of those fine former leaders of the VFF in this place, we start to see the negative consequences of how they seek to extend some of their predispositions to issues such as this.

Whilst there is much to commend in this bill, we urge the government to take on board the serious advice that has been offered by the member for Bellarine, the shadow spokesperson in this area, in relation to making sure that this issue of firewood collection in these areas is dealt with in a more sensible, pragmatic and realistic manner rather than just the open-slather approach.

If we want further evidence of how members of the Liberal-Nationals coalition take their orders around the cabinet table from the Minister for Agriculture and Food Security, we need look no further than a number of other well-established areas, such as the alpine grazing of cows. It must be terribly disconcerting for the Minister for Environment and Climate Change that his first act as minister was to allow cows back into alpine parks. With very little support from the rest of his cabinet colleagues, he valiantly tried to defend that position, but his heart just was not in it —

The ACTING SPEAKER (Mr Thompson) — Order! I ask the member to return to the bill.

Mr FOLEY — In terms of how this bill is dealt with and how it reflects a pattern in the control of natural resource management issues by the Liberal-Nationals coalition, we very much have a situation of the tail wagging the dog. I particularly look forward to the government dealing with this tension within the coalition in regard to the issue of how mining leases will be dealt with into the future — for instance, how the issue of coal seam gas will be dealt with, perhaps even in national parks — and how all of this gets dealt with in a way that sees the primacy of agricultural land balanced against rights in relation to minerals resource exploration and development. That will be a fascinating area, and I am putting my money

on the Minister for Agriculture and Food Security winning that one too.

I am mindful of the time, and with those few comments I commend the position of the opposition to the government. I ask that it seriously reconsider its position on clause 13 and look at supporting the amendments circulated by the member for Bellarine.

Debate adjourned on motion of Mr WELLER (Rodney).

Debate adjourned until later this day.

Sitting suspended 6.30 p.m. until 8.01 p.m.

**INDEPENDENT BROAD-BASED
ANTI-CORRUPTION COMMISSION
AMENDMENT (INVESTIGATIVE
FUNCTIONS) BILL 2011**

Second reading

Debate resumed from 8 December 2011; motion of Mr McINTOSH (Minister responsible for the establishment of an anti-corruption commission).

Ms HENNESSY (Altona) — I rise to speak on the Independent Broad-based Anti-corruption Commission Amendment (Investigative Functions) Bill 2011. I would like to say that it is a pleasure, but the government has made an absolute motza of its establishment of the Independent Broad-based Anti-corruption Commission. We understand that developing an IBAC that is fit for purpose is not necessarily the simplest of tasks, but the history of this IBAC is one that covers not just the institution but the government in absolutely no glory.

The bill we are debating today will not in fact establish an anticorruption commission — do not believe the government spin. We will not have an IBAC open for business after this bill goes through the houses. The bill constitutes compelling evidence of broken election promises. It is incomplete, inconsistent and very poorly drafted legislation. This bill will create continuing institutional uncertainty until the government gets its act together and actually delivers what it promised.

The establishment of a broadbased anticorruption commission was indeed a flagship election promise of this government. In reality if the ship is not sinking, then the flag is definitely in tatters. We remember the government's promise: it said that the IBAC would be up and running and open for business by 1 July 2010.

That date came and went, and government members blamed everybody but themselves for their own incompetence in delivering on that promise.

The government also set up an advisory committee to advise it with respect to the powers and functions of the IBAC, but it has refused point blank to provide a copy of the committee's report. I also think it is of interest that in none of the government's rhetoric around the IBAC has it relied upon the contents of that report to justify any part of the provisions of the IBAC legislation. It raises the question of what is in fact in the report and why the government will not make it public. That strikes me as deeply ironic, particularly when we are debating a bill to create an institution that purports to improve and increase integrity.

We also remember that in the first bill, which is now law, the government sought to politicise the establishment of the position of the inaugural IBAC Commissioner. Its pre-election policy commitment was this: it said it would establish an oversight committee that would have a right of veto or approval of the appointment of the inaugural Commissioner. It broke that promise. That was bad enough, but the question I have for the government is this: if that bill is now law and the government could fill the positions on that IBAC Committee — and it is yet to announce the appointment of an IBAC Commissioner — why would it not simply fill the committee and deliver on its promise?

We remember that the government purported that the first bill would be part of the delivery of its promise, but the bill that we are debating today in this chamber does not complete the IBAC project, far from it. It is difficult to understand what motivates the government on this front. Is it just stunningly incompetent when it comes to the establishment of the IBAC, or is there a deeper and darker design here? Is the government's design here in fact to go on a go-slow so it can continue to push out an effective operation date upon which the commission could and should investigate it? We remain concerned that this IBAC bill is exactly what a senior political journalist recently described the Premier as being — all tip and no iceberg.

To put this in context, the government has attempted to deal with every tawdry revelation about its conduct by saying, 'Don't worry, we're going to have an IBAC up and running very soon that will be able to investigate and deal with these sorts of matters'. Yet the government has failed to deliver a complete model. As it came under continuing political pressure, it brought into this chamber an inadequate, incomplete and badly

drafted bill and then it tried to go around proclaiming that it had actually established an IBAC. It may well serve the government's purpose to delay the effective completion date and operation, but this is a horrific exercise in public policy.

We accept the government's mandate for the establishment of the IBAC and understand that the government has a majority in both houses. We will not oppose the bill, but we think that those particularly associated with this bill and this botched project ought to be ashamed of it. This is a body to which the government claims it is allocating \$170 million. I note that there is \$85 million in the forward estimates and that if the IBAC absorbs the \$20 million each year for the Office of Police Integrity (OPI) from 2012–13, that would take it to \$145 million, so it is still not clear how the government justifies the figure of \$170 million and where the funds are coming from.

It is a matter of great disappointment that the government believes that this bill and the spin around it purport to be significant institutional reform, but we know that such reform requires leadership. That is not something that the government is able to exhibit in any shape or form. The only leadership that the government has exhibited on the issue of public integrity is a prime example of the sort of thing that a government ought not do. We have seen the government utilise its promise of an allegedly fearless IBAC only as a shield. It has hidden behind it every time its interference in law enforcement institutions has been revealed, every time dodgy development donations to the Liberal Party have been revealed and every time we have seen government reports produced that raise significant questions about the government's integrity.

What the government is yet to do is actually explain to Victorians how the IBAC will be a sword in the fight against corruption rather than a delayed public relations shield for its own tawdry behaviour. It is important that some fundamental questions be addressed, and I ask that government speakers address these issues in the course of their contributions. Most fundamentally, when you establish such a body, you have to be prepared to demonstrate, argue and explain how this body will change and improve public integrity in Victoria. Is one of the tests of how you measure its effectiveness successful criminal prosecutions, because there have been significant challenges on that front in other prosecutions? How do we measure whether the issues of police corruption have improved or worsened? This is part of the public policy debate upon which the government has been noticeably silent.

I have spoken in this chamber many times about the importance of confidence in public institutions. Politicians come and go, but one of the most crucial and critical roles we play is how we provide leadership and stewardship to promote people's confidence in public institutions. When you hunt down a Chief Commissioner of Police, when you claim you have the Ombudsman in your back pocket or when you leak private government material to the media, it really does undermine people's confidence in important public institutions.

The government has absolutely no credibility as it marches increment 2 of the IBAC into this chamber, when it is the government's own behaviour that is the greatest threat to confidence in public institutions in this state. Let us go through what was promised by the government and what has been embarrassingly delivered in the bill. The central thrust of the coalition's promise with regard to the IBAC was that it would be a broadbased anticorruption commission. Its policy document stated it would be based on the New South Wales Independent Commission Against Corruption (ICAC) model, and the coalition often trumpeted about how there would be one rule for everyone, not different exceptions or different rules around reporting or secret reports if you were a judge or if you were in a different category. It promised one rule for all. It also made a whole range of promises about the operation date.

Now let us go through what has actually been delivered, because there is a yawning chasm between what is in the coalition's pre-election commitment and what has been embarrassingly delivered in the bill. The threshold question of what an IBAC will have the jurisdiction to investigate relies heavily on the definition of corruption. The coalition's pre-election document that it took to Victorians not only says it will model the IBAC on the New South Wales ICAC but it actually contains a definition of corruption. But what do we find when we look into the definition of corruption in this bill? We find that the government has significantly raised the threshold definition to be 'Serious corrupt conduct' — and if and only if that conduct, when proved, would constitute an indictable offence.

Indictable offences are the most serious of offences. They include murder, rape and a whole range of other very serious offences. The bill also lists a couple of common-law offences to be included in the definition, but one of the most significant omissions in the bill is the government's exclusion of the definition of misconduct in public office. Misconduct in public office, as purveyors of interstate anticorruption

commissions would know, is one of the most critical offences that could be included.

I should also add that the drafting of this bill is incredibly shoddy in that the definitions are contained across several sections and sit writ large, waiting for legal contest. Not only is it shoddy drafting but it also risks delivering chaotic public policy, which is what I suspect the coalition intends. It is also a significant breach of what the government promised it would deliver.

It is an interesting exercise to apply that heightened threshold to matters we have seen canvassed in this chamber, including matters such as the OPI *Crossing the Line* report, Ombudsman's and Auditor-General's reports and matters that have been exposed through the work of investigative journalists, who, I should say, are still not protected by the government's promised shield laws. By applying the threshold to those areas, we discover that many of those issues may not be caught by the definition that the government has put before the house. They may have some difficulty in being shoehorned into the obscure heightened threshold definition that the government has delivered. I would like government members to assure us today that the sort of conduct that we saw canvassed in the OPI *Crossing the Line* report — not just from senior members of Parliament but also from their staff — could in fact be investigated by the IBAC, because if it could not, then this bill is nothing but a fraud on the Victorian people.

Any specific issues that government members wish to raise in the course of this debate must be explained to the house in terms of how and why they meet the statutory definition of serious corruption and which common-law offence they assert has been delivered, because I suspect we will find them sorely wanting. I put on the public record that we will continue to hold the government to account for its promise. We will not be put off by the closed-shop arrangements that the government has self-servingly put in the bill. We will hold it to account in relation to the sorts of things it told us an IBAC would be able to investigate under these definitions.

I will now go to the reporting processes, because yet again in the reporting processes we see not only a significant breach of government policy but also the risk of a clandestine cover-up on behalf of government. I am not pointing to this government specifically, but as a matter of public policy principle what the government has delivered in this bill does not cut the mustard. What the coalition promised — and it was unequivocal —

was that the IBAC would report to the Parliament. It was meant to be independent and capable of coming into Parliament and telling us whatever needed to be told, but instead the bill delivers a range of opaque and very badly drafted reporting arrangements. We put the government on notice that we hold deep concerns about the impact on confidence in public institutions that its reporting arrangements will have.

After investigating a matter the IBAC may make a private recommendation or a special report. We did not see the notion of a private recommendation in the policy document, and it was not in the pre-election commitment. A private recommendation can be made to what is called a 'relevant principal officer', and — lo and behold! — who might be included in that definition of a relevant principal officer who will get these private reports but the Premier and ministers as well. That is the sting in the tail. Any private recommendations made in this way cannot form part of a public report for Parliament. So much for shining the torch and addressing the perception of political cover-ups that the government promised us.

For example, to take the *Crossing the Line* report again, if that were the subject of private recommendations to the Premier, does anyone honestly think that the public would ever know about it? Does anyone honestly think that the deep, dark underbelly of undermining law enforcement in Victoria would ever have made its way into the public domain? The government could and would have used this system as a form of cover-up. There are a whole range of other matters that have come into this Parliament that might also suffer from this system.

The shoddy drafting in the bill does not stop there though. The definition of 'relevant principal officer' is reasonably interesting. A whole category of public sector employees is excluded from the definition of 'relevant principal officer'. That is because the definition hangs off the Public Administration Act 2004, but the Public Administration Act 2004 excludes a significant number of those who work in the public sector. For example, it would exclude the Office of Public Prosecutions, private prisons, universities and private organisations that are contracted by governments to provide public services.

Also, we see a different set of rules in the case of alleged judicial corruption, not only in respect of investigations but also in respect of the tools that may be used for the purposes of those investigations and in fact who conducts those investigations. This is another broken election promise, another loophole that the

government has not justified. Whilst judicial corruption might be the subject of a private recommendation, all behind closed doors, the bill prohibits IBAC from ever making a public report on judicial corruption.

The government needs to explain why it has made this policy shift and why its election promise was broken. Was this an issue that the advisory committee canvassed in its report to government? How can we ever know? How can we know whether this is a designed cover-up by the government or a significant, well-justified policy, because the government has shrouded the establishment of this body in absolute secrecy. The government's commitment was to a broadbased anticorruption commission — no exceptions, no special rules, one rule for all — but that is not what this government has delivered.

Another important and significant exception contained in the bill relates to the sorts of special reports that the IBAC can give to Parliament. In the limited instances in which the public domain will become aware of the activities of the IBAC, special reports to Parliament by IBAC on its duties and functions cannot include findings or opinions that a person is guilty or has committed a criminal offence. IBAC reports to Parliament must not include a recommendation for criminal prosecution or disciplinary action. Despite the fact that the coalition election promise clearly stated that the Commissioner would report and make recommendations to Parliament, the detail in this bill clearly indicates that this is not in fact the case.

The government has gone out of its way to circumscribe the way in which the Commissioner is allowed to table a report in this house. The bill initially set out a process for private reports to be delivered regarding corruption allegations. However, the possibility of a public report being tabled in this Parliament regarding a corruption investigation is going to be significantly limited. Instead, a system of private reports will be established and only in certain circumstances will a report concerning an individual be tabled in Parliament. Those too are circumscribed heavily by the bill, which I imagine will lead to a whole range of contested litigation.

The government has a bit of a glass jaw on this issue. I recall that just before Christmas the *Age* newspaper wrote about the inconsistencies and hypocrisies contained in this bill. What did government members do? They wrote press releases and wrote nasty letters to the newspaper accusing it of misreporting the content of the bill. The government has a glass jaw about this. How dare there be a public debate about this

government's broken election promises, about its hypocrisy and about how it has in fact delivered an IBAC model that seeks to self-servingly cover up allegations that are made about the government itself.

Whatever people might think of public reports, I understand that we do absolutely need proper checks and balances and that we do not necessarily want to have an anticorruption commission that trashes people's reputations. We want processes that are absolutely fair, and there may be circumstances in which that balance ought to be reflected in the legislation. However, it is almost like the government has been so brutalised by the Office of Police Integrity (OPI) report that it has drafted this bill to ensure that that that will never happen again.

I would also like to talk about the referral in information sharing. There is no specific referral power in the bill for the IBAC to refer matters to the Director of Public Prosecutions as there is in the New South Wales ICAC legislation and that relating to the anticorruption bodies in Queensland and Western Australia. One of the most important tasks that is ordinarily undertaken by anticorruption bodies arises from the information they obtain during investigations and the intelligence they compile. This bill contains some general powers to refer a matter to other bodies, but there is nothing in this bill that compels them to share their information and intelligence.

In this Parliament we have seen so many reports tabled by the OPI and the Ombudsman that have beseeched us as legislators to make absolutely clear what the obligations of public agencies are when it comes to sharing information. We have seen that in the fields of child protection, law enforcement and corrections and in the regulation of sex offenders. It prompts me to ask what has to be done for us to learn this lesson? Again we give the government the benefit of the doubt as to why it has chosen this particular route. It is difficult to understand what was behind its thinking here, because it refuses to release the public advisory report, which may or may not have guided how it came to adopt what I say is a fundamentally misconceived position.

I would also like to talk about the investigation powers. This is another area where the bill contains significant shortcomings. If we look at the provisions that seek to regulate police corruption, the first thing we notice is that the IBAC has been given much broader grounds upon which it can choose to decline to investigate a member of force command. That may or may not be appropriate, but the government has not explained why

it has lowered the threshold upon which an allegation of police corruption may be declined to be investigated.

There is also another significant change when it comes to search and seizure powers. The OPI currently has a general search power and a general authorisation to use that power when it is required. This bill restricts and contracts that search power, only giving the IBAC a search and seizure power in respect of police personnel premises. It requires specific authorisation to utilise, so the government must feel pretty damn confident that the only place where there might be evidence of police corruption is on police personnel premises.

We should also be cautious of the limitations that apply in respect of search warrants. Search warrants under this bill are only able to be obtained from a Supreme Court judge. In no other crime investigation or law enforcement area in Victoria are you required to get a search warrant from a Supreme Court judge. We caution that the government may wish to keep a watching brief on this, because we know that, unlike other levels of the judiciary, there are not many Supreme Court judges, and Supreme Court judges will not always be on location. That has implications on, for example, an important investigation being done in Dandenong where we might send an investigator back into the Melbourne CBD to try to get a search warrant and then just hope to dear God that the evidence is not destroyed before the process is complete.

The bill also contains a section that abrogates Crown privilege but only in respect of search and seizure powers. That raises all sorts of questions about when the government might try to use the defence of Crown privilege to dispute participation in an investigation. That is not to say anything about the government not having dealt with any of the issues about cabinet in confidence. Our concern about the public interest immunity around Crown privilege is this: through our experience with freedom of information applications, we have seen that this government likes to attach important documents to cabinet submissions and then hide behind the defence of cabinet confidentiality to try to ensure that the public is denied information it rightly ought to know. Similarly, in respect of an IBAC investigation, given the limitations that are contained on the abrogation of the public interest immunity here, what is to stop the government from claiming that this is protected by cabinet in confidence and using that as a mechanism to try to avoid investigation? There are a whole range of very technical issues in which this bill falls down.

One area where the bill does not fall down when it comes to investigation powers is firearms! There must be some war games enthusiasts on the other side of this house, because the bill gives IBAC investigators the capacity to have access to firearms such as bazookas and hand grenades. In most circumstances members of Victoria Police do not have access to a bazooka or a hand grenade, but an IBAC bureaucrat needs one, apparently. That is what this bill says. The government has yet to explain to the public or the opposition why IBAC investigators would need that classification of firearm. This question becomes even more compelling when we look for some of the really basic investigation and law enforcement powers. We can look for the right to summon someone to come and give evidence under oath — the most fundamental of investigative powers — but it is not there. It is not in the bill. This IBAC does not even have the power to summon someone and require them to give evidence under oath, but its investigators do have the power to use a bazooka or a hand grenade.

The government has been noticeably silent on attempting to justify why that is in fact the case. That is to say nothing of the jurisdictional turf war that this bill will set up. What happens to the Ombudsman's jurisdiction, for example? I note that the Ombudsman has the power to summon someone to give evidence under oath. What happens to the whistleblower regime? I note that under the IBAC bill one is required to make one's complaint within 12 months of the event and that it must be in writing. What does that mean for anonymous complaints? What are the implications for whistleblowers? What happens to the jurisdiction of the Local Government Investigations and Compliance Inspectorate? That body is required to investigate breaches of the Local Government Act 1989 and conduct proactive audits of local government. What happens to breaches of that act that may not meet the new, heightened statutory test of corruption but still may warrant attention? What happens to the ones that are not indictable offences?

An honourable member interjected.

Ms HENNESSY — I hear an interjection about a bazooka. Perhaps that is the explanation as to why the government has included no power to summon someone and require them to give evidence under oath. Perhaps you do not need that power when you have a bazooka! But is this really the IBAC that will change the public integrity domain in Victoria, or is this a government clutching at straws, trying to make sure that it is never again subjected to the political damage

caused by a report like the Office of Police Integrity's *Crossing the Line* report?

We also note that we have had very little public leadership and comment about the transition from the OPI to the new IBAC. I note a new acting director of police integrity was appointed yesterday. I remember Michael Strong's comments in his annual report that the government had refused to talk to him about the transition. The government has continued to deny freedom of information applications about what is going to occur with staffing and resources. I wonder if an IBAC bureaucrat with a bazooka is part of a front-line service or a backroom service. What are the implications around the government's public sector employment issues?

This government comes to the integrity debate with dirty hands. Its promises about the IBAC have been consistently broken. Those associated with this process and those associated with taking up the time of this Parliament with a bill that is so inadequate and so incomplete ought to be deeply embarrassed. Victorian Labor will keep the spotlight on this government. Even if it gives us a half-witted body that does not have the powers it needs to have, we will keep the torch on the government's behaviour. We will ensure that we hold the government to account for the promises it made to the Victorian people before the last election. However, this bill is not one of those promises.

Mrs FYFFE (Evelyn) — I am pleased to rise to speak on the Independent Broad-based Anti-corruption Commission Amendment (Investigative Functions) Bill 2011. The establishment of the IBAC (Independent Broad-based Anti-corruption Commission) is indeed an achievement that all members on this side of the house can be proud of. In opposition we said we would establish an independent, broadbased anticorruption commission, and in government we are delivering on this key election promise. What we have in IBAC is a truly independent corruption watchdog, something that Labor tried and failed to establish.

Before I talk about the bill in detail I would like to respond to a few comments made by the member for Altona. The member for Altona carried on a great deal about the consultation panel's report. She very well knows that the consultation panel's report was prepared for cabinet for consideration by cabinet. The member for Altona is very aware of that fact.

The member for Altona also went on at some length about firearms. The firearms legislation and powers are exactly the same as those the Labor government gave to

the Office of Police Integrity. We are just transferring those over into the IBAC. Labor gave the OPI the bazookas. Labor members have loved saying that word tonight. It is a word they hope will appear in the *Age* tomorrow. The bazookas were permitted under the former government.

The member for Altona made allegations that this legislation has a deeper and darker design based on the time it has taken to bring in the IBAC legislation. There certainly is a design — a design to bring in sensible, well-considered legislation. We have taken the time to make sure that it is right and that it will do what we have promised and what we have committed to. We are working to our timetable, not the timetable we saw under Labor, when the light bulb would flash, just like on *The Hollowmen* series. The flash would go off, and Labor would have an idea. Legislation would come in. For 11 years we would see that flash when an idea came, and then a law was brought in. Then we saw amendments. Amendment after amendment would follow as Labor members realised the stuff-up they had made.

The member for Altona, quoting again from the *Age*, which seems to be where most of her speech was coming from, referred to this government — in fact, the Premier — being ‘all tip and no iceberg’. Let me tell members of the opposition that they are the ones sailing on the *Titanic*. Their ship has already crashed; it crashed on the last Saturday in November 2010.

This legislation is something I am very proud of. The bill will amend the coalition government’s landmark Independent Broad-based Anti-corruption Commission Act 2011, amongst other acts, and provide the new Independent Broad-based Anti-corruption Commission with the powers it will require to identify and investigate corruption within the Victorian public service, including all sworn and unsworn members of Victoria Police. The bill is part of a suite of legislation the Baillieu coalition government has passed through this Parliament in just one year to reform Victoria’s integrity system. The establishment of the IBAC was one of the coalition’s major commitments going to the 2010 election. Since winning the election and coming to office in late 2010, the coalition government has been working hard to set up IBAC and provide Victoria with a powerful safeguard against public service corruption.

Many jurisdictions throughout every continent on the planet suffer unfathomable levels of corruption. The effects of public sector corruption should not be underestimated; it can cripple a society. Corruption is

nearly impossible to remove once it becomes deep seated within a public service, and it can take years, if not decades, to restore public confidence once corruption has reached endemic levels. While we in Victoria have been spared the adversity of widespread corruption in our public service, there have been isolated cases of questionable activity within Victoria Police (VicPol) and other agencies of the Victorian government. The Baillieu coalition government is taking the pragmatic step of implementing Victoria’s largest and most significant reform of integrity in government by establishing the IBAC to prevent corrupt activity from getting a footing in our public service.

This flies in the face of Labor’s failure to introduce an IBAC or a similar body in over a decade in power. After 10½ years of an 11-year spell of a Labor government, former Premier John Brumby made a sensational backflip and six months before being turfed from office announced that there would be an anticorruption commission — a backflip made only after now Premier Ted Baillieu ran a pro-IBAC campaign.

The IBAC will have a far-reaching jurisdiction that will include all employees and agencies of the Victorian government, except those involved in the work of IBAC. Examples of those under IBAC’s jurisdiction include the Governor; the Premier and all ministers; all members of Parliament; justices of the Supreme Court; judges of the County Court; magistrates; all public servants, including department secretaries; mayors, councillors, CEOs and employees of all councils; and independent officers, such as the Auditor-General, the Ombudsman and the electoral commissioner.

This bill provides IBAC with two heads of power. One head will give IBAC the jurisdiction for corrupt conduct across the Victorian public service, including VicPol. This is unprecedented in Victoria and meets the Baillieu coalition’s election commitment to integrity in the state. The second head will give jurisdiction for IBAC to provide oversight to the conduct of all VicPol members. This head was formerly the purview of the Office of Police Integrity, which will be replaced by IBAC. As I have already said, the OPI legislation and OPI standards on firearms are just being transferred across to this. There is nothing new, nothing different; Labor’s stand is being transferred over.

Clause 4 of this bill contains one of the most critical amendments — the definition of corrupt conduct. For the purpose of this bill, corrupt behaviour is defined as any public officer who acts dishonestly, any person

whose actions affect the honesty of a public officer, any public officer or body that breaches the public trust, any public officer or body that misuses information or material and any person who conspires or attempts to engage in any of the abovementioned acts. The bill makes significant amendments across numerous acts in order to provide IBAC and its officers with the wide-ranging arsenal of powers required to identify and investigate corruption.

Under this bill IBAC officers will have the authority to enter without warrant any government premises, including VicPol offices, and seize any evidence they believe will assist in their investigations. IBAC officers will also have the right to apply to the Supreme Court for a warrant to search any private property they believe houses evidence. The officers will be authorised to carry and use firearms — which we have heard much about — defensive equipment and other weaponry considered necessary for an officer to undertake investigations. The bill provides that officers must be suitably trained before they are permitted to carry any arms. Part of IBAC's work will be investigating corrupt VicPol members who carry semiautomatic sidearms and have access to automatic weapons, so it is appropriate that the IBAC officers carry equivalent arms to ensure both their own safety and the safety of the general public.

Subject to commonwealth approval, a crucial power provided to IBAC under this bill is the authority to gather intelligence by covert means. This includes the use of surveillance devices and telecommunication intercepts. Bugging and phone tapping are invaluable investigatory technologies for crime fighting in the 21st century and will greatly assist IBAC.

A particularly important regulation under this bill is the regulation for reporting the outcome of investigations. When I have spoken about this legislation to many people inside and outside my area, it has had their full support. In fact, local police officers have been delighted with this. One made the comment to me — and I will be very careful not to name him — ‘When you have this legislation in place, when you have this body in place, when the OPI is finished, I will sing, “Ding dong, the witch is dead”’.

Mr WYNNE (Richmond) — In commencing my contribution I just want to indicate what a superb analysis that was by the member for Altona. Can I say that there is no need for the member for Altona to use a bazooka; she has comprehensively demolished many aspects of and pointed out what we regard as significant deficiencies in the bill. We genuinely put them before

the Parliament and hope that the government, either by way of response today or while the bill is between the houses, takes the opportunity to reflect on what we believe is genuine commentary and a genuine assessment of what we think are quite significant deficiencies in this bill. I could not seek to emulate the efforts of the member for Altona. In my contribution I will seek — not surprisingly, of course — to concentrate more on how this bill will interact with the local government sector. It is an important sector, and obviously the purview of this bill covers local government.

One of the interesting aspects of this bill, as was pointed out by my colleague the member for Altona, is that the threshold for the investigation of matters by the Independent Broad-based Anti-corruption Commission (IBAC), whether on its own motion or in response to complaints and requests for investigation, are comparatively high when compared with what applies in New South Wales. Members will remember that before the election the government clearly indicated it was seeking to emulate both the structure and powers that attend to the New South Wales Independent Commission Against Corruption. It is openly concluded that fewer matters than in New South Wales will fall within the jurisdiction of the Victorian IBAC in the first instance, or that fewer matters which are investigated by IBAC will be found to have included or constituted corrupt conduct within the definitions in this bill. As to the threshold of an indictable offence, the test being serious corrupt conduct, I think we will have to pause and wait to see how IBAC conducts its business going forward.

The bill defines relevant offences as an indictable offence or any of the following common-law offences committed in Victoria: attempting to pervert the course of justice, bribery of a public official or perverting the course of justice. In that context I note that the second-reading speech indicates that the broad purview of the IBAC includes ministers, members of Parliament, ministerial advisers, parliamentary officers, all police personnel, the judiciary, local government and a broad range of other public officers and bodies. The second-reading speech goes on to say that for the first time in Victoria's history virtually the entire public sector will be overseen by a single expert anticorruption body, the IBAC.

The issue for us lies in what the interface is going to be between the IBAC and the investigatory bodies that currently exist in Victoria. How will the IBAC intersect with the Ombudsman and the work of the Ombudsman? And from my point of view, and more

specifically, how will the IBAC intersect with the existing work of the local government inspectorate and compliance unit? Those who recall the history of the development of the local government inspectorate will recall that it was instigated by the previous government and was broadly supported by both sides of the Parliament, because it was seen as important that the minister and government of the day, regardless of the current government and current opposition, ought to step back from any investigatory procedures that attended local government.

That is a very important principle. As we know, the genesis of this initiative was in part the Ombudsman's report into the Brimbank City Council. The government had acted decisively in relation to the Brimbank matter, but it also recognised it was important that government step back from such investigations, that the minister of the day have no relationship with the relevant investigatory body and that the reporting mechanism in the investigations be such that were a matter investigated and found to be a criminal one it would be referred to the Director of Public Prosecutions for further investigation and subsequent prosecution. We think that is a very appropriate structure.

The issue for us is that this is now no longer clear to us. The second-reading speech indicates that there will be a further tranche of legislation introduced this year that will provide the mechanisms for the IBAC to refer matters it receives that do not fit within the definition of corrupt conduct to other, or more appropriate, bodies. The presumption I come to this conversation with is that that may well refer to the local government inspectorate and compliance unit, but we do not know. We simply do not know whether that is the case. Will the investigatory powers that currently attend the local government inspectorate remain the same? Will they be complementary to the IBAC's? Will they be watered down? We do not know the answer.

On one level the government says, 'That will be clarified on the way through', but from the point of view of the local government sector there is very significant concern and confusion about what this all looks like as we go forward. I know that you, Acting Speaker, as the member for Mornington, have also done a lot of work in the local government sector and that you will have received the same feedback I have. People are seeking clarity as to what the role of the IBAC is, what the role of the Ombudsman will be and what the future role of the local government inspectorate will be going forward.

In that context I would put to you, Acting Speaker — because you will be taking up some of these matters — the question: what will be the investigative purview of the local government inspectorate? Will it continue to deal with breaches of the Local Government Act 1989 as it has done in the past? What will be the intersection between the compliance unit, potentially the Ombudsman and the IBAC — recognising of course that the IBAC's threshold is serious, corrupt conduct? What will be done with issues such as conflict of interest? What will be the future role of the local government inspectorate in terms of the crucial functions it has, such as its auditing function and its function of ensuring that the 79 local government councils across the state are complying with their obligations under the Local Government Act 1989? Who will undertake the crucial educative role which is so much a part of the local government inspectorate's work? These are all crucial and legitimate questions on which the bill currently before us is completely silent.

We find ourselves tonight with the second piece of legislation we have debated in relation to the IBAC. The first essentially constituted the framework. It was rushed in by the government so it could say, 'Here we are; the IBAC's on its way'. The government rushed it in to cover up what was a very sordid time in the history of this Parliament, when the *Crossing the Line* report was open to the glare of public attention. The government said, 'My God, we have to have something to bring into the Parliament. We're going to have the IBAC, and here's the framework'. We all saw what that was.

Mr McGuire — Just a gesture and no substance.

Mr WYNNE — As my colleague the member for Broadmeadows says, it was just a gesture and no substance. Now at least we have a bit of meat on the bones in terms of some of the powers that will attend the IBAC, but so many questions remain unanswered, particularly, from my perspective, in relation to the local government sector, which is desperately seeking guidance. We have the council elections coming up in October, and people who are seeking to stand for local government want to know what sort of structure they will be operating under. Currently this government is silent in that space.

Mr NEWTON-BROWN (Pahran) — Acting Speaker, this bill is one further plank in the commitment of the Liberal-Nationals coalition to delivering a new regime of public accountability and transparency in this state. Step by step the Liberal-Nationals coalition is building a

well-thought-out, considered legislative framework to establish the Independent Broad-based Anti-corruption Commission in Victoria. This particular bill deals specifically with the investigative powers the IBAC will have to enable it to carry out its investigative functions. The minister makes no apologies for the fact that these powers are broad. They will be exercised independently, and they will tackle corruption head-on in this state for the first time.

For 11 years Labor shirked the call by the community to clean up corruption in this state. When those opposite finally did respond on the eve of the last election it was a lily-livered response and, surprise, surprise, they protected politicians from being investigated under their model of the IBAC. The public told Premier Brumby at the time what it thought about this, and it told him emphatically at the election, right where it hurts. Seat after seat fell on that election night in an electorate that was desperate for leadership and tough measures to stop the rot in the state of Victoria. Premier Baillieu provided that leadership.

This bill will provide powers to investigate and expose corrupt conduct in the public service, Victoria Police, government departments and agencies, and of ministers, members of Parliament, councillors, judges and their staff. The member for Altona was critical of the different treatment that judges are given under this bill. There is such a thing as separation of powers, which ensures that there is an appropriate regime of separation within this state. If the member for Altona does not believe in that separation, she should say so.

These powers will be extensive. They will include the power to enter premises, including government offices, to search and seize documents; to carry firearms, including semiautomatic weapons; and to use surveillance devices and telecommunication intercepts to gather intelligence. Importantly the IBAC will have absolute discretion to decide whether or not to investigate a complaint, and it will be truly independent.

I reflect on the need for an IBAC. For many years in opposition the now Premier pressed the need for an IBAC, and for 11 long years the ALP refused to implement one. In its first year in office the Liberal-Nationals coalition began delivering in what was a plain and simple response to what the public wanted. Everybody except Steve Bracks and John Brumby could see that this state needed an IBAC. Interestingly in opposition John Brumby was on the record as having been in favour of an IBAC. As

opposition leader, in a letter to the Australian Civil Liberties Union, he wrote:

The state opposition concurs with your sentiments regarding the need for a royal commission into police ...

Labor has repeatedly called for a royal commission into police corruption and will continue to do so in the coming budget session of Parliament and beyond.

Despite various other states such as New South Wales, Queensland and Western Australia moving to establish anticorruption bodies, Labor steadfastly refused to follow suit once elected. Indeed some of those states had had anticorruption commissions for over 20 years.

Mr Nardella interjected.

Mr NEWTON-BROWN — I hear the member for Melton, but I choose to ignore him.

More than 20 former judges, senior police officers, anticorruption experts and leading public administration figures called on John Brumby to establish an independent anticorruption commission in Victoria, but he refused. Where were you, member for Melton, when your side of the house considered this issue as it raged in Victoria? Where were you, member for Richmond? We can excuse you, member for Broadmeadows — you were still drinking lattes in Brighton!

The ACTING SPEAKER (Mr Morris) — Order! The member for Prahran will address his comments through the Chair and will not engage in debate across the chamber.

Mr NEWTON-BROWN — An article in the *Herald Sun* of 20 September 2007 speculated as to why there was this reluctance from the Brumby government to establish an IBAC. It speculated that the government had corruptly entered into a deal for political support with a union in exchange for various employment, financial and legal defence undertakings from the Labor government. The *Herald Sun* pointed out serious evidence of corruption and a lack of adequate investigation into some aspects of public tendering. It also pointed out that there were alarming allegations of rogue police officers being party to underworld crime, corruption and murder. The response of John Brumby at the time was to mock the criticism.

Mr Nardella — On a point of order, Acting Speaker, the member for Prahran has been talking now for 5 minutes and 15 seconds. I request that you ask him to speak on the bill.

The ACTING SPEAKER (Mr Morris) — Order! In my view the commentary coming from the member for Prahran is in fact relevant to the bill. It is the background that led to the bill being brought into the house, and I think that is relevant.

Mr NEWTON-BROWN — I will move on with the background. As far back as November 2000 an independent candidate for Frankston East signed a statutory declaration that Labor representatives had offered him money for preferences to be directed to Matt Viney, a member for Eastern Victoria Region in the other place. The Liberal state director at the time said that there is a statutory declaration — —

Mr Nardella — On a point of order, Speaker, this is not an opportunity to attack members of Parliament in the other house. I ask you to ask the member for Prahran to desist.

The ACTING SPEAKER (Mr Morris) — Order! I agree. I ask the member for Prahran to move on.

Mr NEWTON-BROWN — In 2006 the member for Lyndhurst was busted for misuse of parliamentary entitlements.

Mr Wynne — On a point of order, Speaker, the member for Prahran is simply wasting his time tonight. I invite you to direct him to come back to dealing with the bill and not use this opportunity to simply slur members of this side of the house with his contribution. I request that you ask him to get back to the substance of the bill.

Honourable members interjecting.

The ACTING SPEAKER (Mr Morris) — Order! Points of order will be heard in silence. I ask the member to come back to the bill.

Mr NEWTON-BROWN — The examples I have given are clear evidence of why this model is better than the model that John Brumby put up before the last election. This model includes parliamentarians in the remit of the bill. Another example is that the member for Lyndhurst used his driver to take him around to preselection battles.

Mr Nardella — On a point of order, Acting Speaker, it is against standing orders for any honourable member to bring into disrepute or without substantive motion attack another member of this house. I seek your assistance to bring the member for Prahran back to the bill immediately or sit him down.

The ACTING SPEAKER (Mr Morris) — Order! The member should return to the bill rather than making attacks on other individuals.

Mr NEWTON-BROWN — The fact that the Liberal-Nationals coalition has introduced an IBAC which puts everyone, including politicians, under the spotlight should give the Victorian public great confidence in this government. We on this side of the house have nothing to hide, and we will not use our privileged position of being members of Parliament to protect people, including our colleagues, who have engaged in corruption. If it is good enough for the general community to be under this scrutiny, then it should be good enough for us in this place too, no matter what members of the opposition in this house say. It is a disgrace that Labor members closed ranks and protected their own when they should have been setting up an IBAC during their 11 years of government.

This legislation is delivering the most far-reaching and fundamental reforms that have ever been made to Victoria's integrity system. In due course more similarly well-thought-out pieces of legislation will be introduced, such as legislation related to examination and referral powers. Before long this Parliament and the state of Victoria will have the whole suite of legislation required to set up a fully functioning IBAC in the state of Victoria.

Ms GARRETT (Brunswick) — I rise to make a contribution to the debate on the Independent Broad-based Anti-corruption Commission Amendment (Investigative Functions) Bill 2011. Unlike the previous speaker I will be focusing on the provisions of the bill. I understand why those opposite are agitated and unable to focus on the content of this bill, given the embarrassment that has been served up by those on their front bench.

Not to put too fine a point on it, one would have expected that this contribution, and indeed all the contributions on this bill, would have been made many months ago — in the first half of last year to be exact. That would have been consistent with the time frame established by the government in its pre-election promises about when Independent Broad-based Anti-corruption Commission would be up and running. In fact to see that, members do not have to look any further than page 3 of the document entitled *The Victorian Liberal Nationals Coalition Plan for Integrity of Government*, which was part of its policies and plans for the 2010 election and which says in absolute black and white and as clear as day: 'IBAC will be

operational on 1 July 2011'. There is no mention of planks, a step-by-step approach or further tranches of legislation.

As we are all aware — or at least some of us; those on this side of the house as opposed to those on the other — it is 8 February 2012. Yet here I stand making my second contribution to the debate on the IBAC process, speaking on this latest but by no means last tranche of provisions before the house in what has become a painful and stuttering legislative journey built on shifting sands and doublespeak.

Perhaps the Victorian community could forgive the delays and the debacles in this journey if the government demonstrated that it was delivering the system it so often promised. It was not just quietly promised, either. It was screamed from the rooftops, nailed to the mast in streaming colours and set up by those opposite as an absolute benchmark by which they said they should be judged — and judged they will be! This was a flagship promise, and Victorians are entitled to expect this promise to be fulfilled.

Does this latest set of provisions deliver that outcome? Does this bill give the Victorian people what they were told so often was coming? No, it does not. In fact midnight has struck and this flagship policy has been unveiled as a rusty, leaking tugboat. At best this bill is just another ragged jigsaw piece in an incomplete puzzle. It raises more questions than it answers.

As previous speakers on this side of the house have so aptly pointed out, we were told repeatedly by this government that the reason for the long delays in implementing its promises on IBAC was that we needed to get the model right, but what was the model that was promised by the coalition and that the minister said he was endeavouring to get right? Again, we can return to the very source of the promises made by the coalition prior to the election, *The Victorian Liberal Nationals Coalition Plan for Integrity of Government*, for illumination. I quote again from page 3 of the document:

The Liberal-Nationals coalition's independent broadbased anticorruption commission to be known as IBAC will be modelled most closely on New South Wales's Independent Commission Against Corruption ...

So in Coalition Pre-election Promise Land, a warm and fuzzy place of clear blue skies and fluffy clouds, we had distinct and oft-repeated undertakings that IBAC (a) will be operational by 1 July 2011 and (b) will be most closely modelled on the Independent Commission Against Corruption (ICAC). But what we have been

given in Coalition Government Reality Land — a cold and lonely place of secrets, scandals and sluggishness — is a half-baked custard. This measure is late, incomplete and notably different from what was promised.

The first and most stark issue is that we still do not have the whole picture of what the IBAC will eventually look like, despite the fact that it is running months and months behind schedule. Secondly, the bits that have been revealed by this latest suite of provisions reveal a vastly different entity from that which was so firmly promised. One does not have to reach too far into the provisions of this bill to see some stark differences between the ICAC model, upon which IBAC was supposed to be closely based, and the amorphous floating balloon of bits and pieces that this IBAC is fast becoming.

Let us look, for example, at the definitions and thresholds for both the investigation and findings of corruption powers that are proposed for IBAC. Under the legislation before us today, the Victorian IBAC's powers will be limited to investigations of serious corruption that, if proved, would constitute an indictable offence. This is a tough threshold test in anyone's language, and it gives IBAC a much narrower capacity to investigate corrupt activity than the New South Wales ICAC enjoys.

Further and of particular note is that the proposed legislation does not extend IBAC's jurisdiction to the common-law offence of misconduct in public office, except with regard to police misconduct. This limitation will not only significantly curtail IBAC's investigative capacity but it is in direct contradiction to what the coalition promised in the lead-up to 2010 election. To see that, we need look no further than the coalition's own policy promises missive, *The Victorian Liberal Nationals Coalition Plan for Integrity of Government*. On page 4 this document outlines that the promised IBAC will be charged 'with responsibility for exposing and preventing corruption'. It also clearly states that public sector corruption:

... may involve a criminal offence or a disciplinary offence that could lead to a dismissal.

The policy document goes on to assert that the function of the IBAC is to investigate any allegation or complaint of corrupt conduct — except that, of course, was the IBAC of the bright and breezy Coalition Pre-election Promise Land, not the gloomy and duplicitous Coalition Government Reality Land in which we find ourselves today. The fact is that this IBAC — the IBAC proposed by this bill, this watery,

pale, indeed jaundiced version of IBAC that has been served up in Coalition Government Reality Land — will not be investigating any allegation or complaint of corrupt conduct, including conduct involving a disciplinary offence, at all. No! Its remit will be far narrower in scope and its reach will be significantly more curtailed than what Victorians were led to believe in 2010.

Further, and on a particularly odious note, the powers and obligations set out in this bill mean that members of the public may never actually be made aware of any investigations of corrupt conduct by IBAC. They will not be told about private recommendations that IBAC may make to a public officer, minister or the Premier. In very real and practical terms, it appears that the various issues that were addressed in last year's *Crossing the Line* report would not be made public if they were investigated by IBAC in accordance with the provisions of this bill. Some matters previously made public in Ombudsman's reports would be unlikely to be published in IBAC reports.

This is not openness, and it is not transparency. This is a government trying to cover up a very exposed rear end with some tattered cloth and in the process further compounding its lack of integrity by welching on its promises.

All this is against the backdrop of the government refusing to release its advisory report on this most important institution. It all comes at the end of a long line of extraordinary actions on the part of this government and members of its team, who have seen confidence in public institutions dramatically eroded. As the member for Altona and shadow minister for the anticorruption commission pointed out, these included: the actions of senior members of this government that were the subject of the recent extraordinary Office of Police Integrity report *Crossing the Line*; the failure to introduce a comprehensive ministerial code of conduct, despite repeated promises to do so; the weak and watery excuse for FOI reform that was served up during this very parliamentary sitting, coupled with the clear practice of this government since it was sworn in of stonewalling FOI processes; and the many unanswered questions about Liberal fundraising activities in this state.

Unfortunately this latest tranche of proposed IBAC legislation will do very little to reassure the community that the government has any intention of fully honouring the pledges it made so solemnly to Victorians prior to the 2010 election, including the promise that it would be open, transparent and

accountable. When the complete story of this IBAC is finally revealed by this government, the opposition will continue to hold this government to account to ensure that the body that eventually becomes operational — hopefully in our lifetimes — is exactly what the government pledged it would be. On current form we do not hold out much hope that this flagship policy will be delivered by this shaky lot.

Mr SOUTHWICK (Caulfield) — It is my pleasure to rise to speak on yet another election commitment to deliver for the first time in Victoria's history an Independent Broad-based Anti-corruption Commission (IBAC). The Victorian coalition has introduced a series of historic reforms to restore integrity back into government, and I would like to remind the opposition again about the reform agenda we are undertaking. In our first year the coalition introduced a Public Interest Monitor, a Victorian Inspectorate, an independent FOI commissioner, a code of conduct for fundraising and reforms for tightening the lobbyist register, and now we have the introduction of IBAC.

IBAC's powers will be broadbased and will cover the public service, Victoria Police, government department agencies, MPs and ministers, councillors, judges and staff. The IBAC will have powers to investigate and search; powers for officers to carry firearms, which I will cover a little bit later; powers to prosecute; and powers to restore integrity into government. We have heard a lot tonight from members of the opposition, and my oh my, do they have short memories! They had 11 years to introduce a form of legislation into this house along the lines of which we have heard. In particular, their lead speaker, the member for Altona, dared to come in here tonight and try to lecture the government about how she might go about setting up a body such as an IBAC.

Ms Beattie — She gave you a lesson.

Mr SOUTHWICK — How would she know? In fact how would any opposition members know how to go about setting up an IBAC, because they never attempted it? They had 11 years to have a go. There was a public outcry and calls to develop an IBAC from many agencies, many members of the public, the opposition and many members who are here in this house, and they let it go through to the keeper. In the dying days of the last six months of the Labor government John Brumby finally decided that he might have a crack at it and see what he could do about reforming legislation. Of course, as we heard quite adequately from members on this side, he included many people to be covered by the proposed legislation

but excluded members of Parliament. It is very convenient to set up a body to look into any untoward action and to exclude yourself — very convenient.

This bill really shows the backbone of this government. In opposition it advocated strongly to restore scrutiny and integrity to government, and within the first year of being elected into government its members not only took up what they advocated in opposition but included its own members of Parliament and ministers. We have gone that far. In fact we are including the Premier, because we on this side have nothing to hide. We believe the Victorian people deserve a government they can trust. Ensuring integrity and trust in the government should be the first pillar for the election of any government of the day. I am proud to be part of a government that is going about doing this.

We heard a lot from the opposition today. Never let the truth get in front of a good story, because we have heard many good stories tonight. With regard to IBAC, we even heard the use of words like ‘bazookas’ and ‘firearms’, and we heard about all sorts of other things that all of a sudden investigative officers will magically be carrying. We heard that these officers did not have exactly the same powers when they were Office of Police Integrity officers, but in fact we are giving exactly the same powers to IBAC officers that we gave to OPI officers. As I said, never let the truth get in front of a great story. I love the use of great words like ‘bazooka’, and it is good the opposition loaded the bazooka, because you have to load one but you also have to know where to point it. You cannot turn around and point it at yourself, because guess what? You blow yourself up. If we look at what the opposition has done in the past when in government, we see many instances where an IBAC would have been able to clean up government and bring back integrity, honesty and respect.

I will refer to Labor’s history — the patchwork of legislation that it had when it was in government. In an interview with the *Age* a former special investigations monitor, retired judge David Jones said ‘the OPI would be more effective if it operated under a single legal framework, rather than the patchwork of laws’ rushed through by Labor. Mr Jones further said:

It has been more difficult for the OPI operationally because the powers were not as clearly defined as in other bodies ...

Those powers were not as clearly defined as those in other jurisdictions, such as New South Wales, Western Australia and Queensland, that we have heard about.

Further, we heard from Labor’s great man, behind whom opposition members stood for many years — that is, former Premier John Brumby. In describing the success of the OPI he is quoted in the *Australian* of 3 June 2010 as having stated:

There have been some other obviously high-profile cases ... where I think the public would say that its performance perhaps hasn’t been up to scratch.

After lots of niggling and identifying many mishaps committed by the OPI, he finally acknowledged that we needed an alternative. We had been saying that for 11 years. Thank God the Victorian public said that also, and that is why we are sitting on the government side and opposition members are now on the opposition side. Those members opposite speak about conspiracies and cover-ups. These are subjects that the Labor Party knows all about. A simple question is: why did the Labor Party take so long to act? Why did the Labor Party take so long to introduce an IBAC? The Victorian people knew why, and that is why the Victorian people voted the Labor Party out of office.

We have a mandate, as the member for Altona quite rightly points out. Our mandate is quite simple: it is to restore integrity in government, to ensure that the public has a body it can trust, that we clean up all relevant bodies and ensure that when members of the community have a complaint they know it will be handled honestly with integrity and trust. As I said earlier, these are the first principles on which any government is elected. That is why all government members are sitting on this side of the chamber. Even opposition members would believe we are here for those reasons. That is why we need an IBAC. We also need an IBAC to ensure that we can all sit in this chamber and know we are all doing the right things, that we will continue to do so and that the public will trust what we are carrying out.

If we have nothing to hide and are all acting in the best interests of what we were elected to do, then none of us should experience any fear or favour from there being an IBAC. As we have stated many times, establishing an IBAC was more than an election commitment; it was something we advocated for a number of years.

Before being preselected I was very proud to attend a public forum which the now Minister for Crime Prevention conducted. Other jurisdictions were brought together to discuss how an IBAC could be implemented in Victoria. I am pleased that the minister has acted. He has carried out what he committed to in opposition. There is a very good form of legislation before us now. We are restoring integrity and honesty. We are ensuring

that the Victorian public has a government it can trust and one that it elected to carry out a job it committed to. I commend the bill to the house

Ms BEATTIE (Yuroke) — I rise to speak on the Independent Broad-based Anti-corruption Commission Amendment (Investigative Functions) Bill 2011. This bill should have been in this house on 1 July last year. The Minister responsible for the establishment of an anticorruption commission has had one piece of legislation to introduce to this house, yet it is now over 12 months since he was elected, and we are being drip-fed this legislation bit by bit.

What a terrific contribution we heard tonight from the member for Altona. She tore apart this legislation line by line and clause by clause. She showed every shortcoming in this legislation, and there are many shortcomings and flaws in this legislation.

Honourable members interjecting.

Ms BEATTIE — Got home early from your Mensa Australia meeting tonight, did you?

The ACTING SPEAKER (Mrs Victoria) — Order! The member is to return to speaking on the bill.

Ms BEATTIE — The first tranche of legislation was rushed into the house in the wake of the *Crossing the Line* report. We all know what a shameful act that report revealed — such a tawdry episode in this state's history.

The IBAC (Independent Broad-based Anti-corruption Commission) might reveal many things. It might reveal where the government hid Tristan Weston for six months or so; it might reveal how and what he was paid. These questions were asked in the house, but they were not at all answered in the house. If the IBAC makes retrospective findings, we might find out what Mr Kapel's role was. I am not sure if the committee has the power to bring people from overseas back to Victoria. I understand Mr Kapel is in America now, but perhaps we can have a full and frank discussion with Mr Kapel about the role he played in that tawdry episode. I look forward to the next part — —

Mr Southwick — On a point of order, Speaker, I ask you to draw the speaker back to the bill. We heard a point of order raised by an opposition member when the member for Prahran was talking about casting aspersions on other people. I ask that — —

Mr Nardella interjected.

The ACTING SPEAKER (Mrs Victoria) — Order! I will hear points of order in silence.

Mr Southwick — I ask that the member be brought back to the bill.

The ACTING SPEAKER (Mrs Victoria) — Order! I do not uphold the point of order.

Ms BEATTIE — We do not know yet if this is retrospective. Perhaps that will be in the next tranche of this drip-fed legislation. I am looking forward to seeing exactly what we can find out about that tawdry episode. Of course the IBAC will have very broad powers. One of the things that worries me is that it is not explicit whether it will have referral powers to the Director of Public Prosecutions (DPP). One would think that would be obvious in an IBAC bill, but I cannot find it anywhere in there. Perhaps when he is summing up on the bill the minister can explain that to us. Perhaps he can also talk about the definition of 'firearms'. My understanding is that the bill allows bazookas. We do not need bazookas on this side of the house because we have the member for Altona. The way she destroyed various aspects of this bill in her contribution was great to see.

Honourable members interjecting.

Ms BEATTIE — Exactly. This bill comes to the house late. It comes from a minister who has only one job, and that is bringing in the IBAC. Yet more than 12 months later it is still not all here. We will get it bit by bit and it will be like a jigsaw. We can have this bit next month and that bit the month after, and we will see where it all goes. But it is certainly not looking good at this stage. It is not looking good that we have a government that hunted the head of its police commissioner, and it is still not clear who did what.

Ms Ryall — On a point of order, Acting Speaker, we have heard the member making criticisms and allegations. I ask you to draw her back to the bill.

The ACTING SPEAKER (Mrs Victoria) — Order! I uphold the point of order. I ask the member to come back to the bill.

Ms BEATTIE — So we get to the bill! What is in the bill? We do not know because we do not have the entire bill. I would like to speak on the rest of the bill, but we have only got bits and pieces. This is ad hoc legislation. Much has been made by the other side of the power to investigate parliamentarians. There is a power to investigate a whole lot of people, including judges, magistrates, coroners and Crown prosecutors;

all of these people can be questioned. Again there are no referral powers to the DPP. Of course there would not be a person in this state who supports corruption, but governments should protect people. What we have here tonight is this bill, which is just bits and pieces of legislation. It does not give us the full picture. The bill will go through this house, but certainly in the other house we will want to know what amendments may be made. I do not know how it will go in the other house.

The bill talks about providing educational services to the community about the detrimental effects of corruption on public administration. Last time I looked the government was cutting the education budget. Where is the money for these educational services coming from? I certainly hope it is not coming from within the education budget. We now have a government that is trumpeting its credentials in regard to preventing corruption. The Liberal Party sacked the Auditor-General the last time it was in government. That government hid behind the cloak of saying, 'Oh, we have to get things done; we have to get on with the job, so we cannot have an Auditor-General looking into what we are doing'. These are supposed to be the champions of democracy.

What have we seen under this government? The opposition could not even get briefings on the FOI bill unless we provided the government with details of who was going to the briefing and maybe what questions were going to be asked. We have seen all these things. You are not the champions of democracy. You are not the champions of anticorruption. This was an election promise that we have seen —

Mr Watt — On a point of order, Acting Speaker, the member for Yuroke should direct her comments through the Chair. She has been making representations about the Acting Speaker.

The ACTING SPEAKER (Mrs Victoria) — Order! I agree. The member should speak through the Chair and come back to the bill.

Ms BEATTIE — In the few seconds I have left, I say that this bill does not do the trick. It is a piecemeal bill. I am looking forward to seeing the other pieces, but at the moment I cannot commend the bill to the house.

Mr MORRIS (Mornington) — It is a pleasure to join the debate on a bill to introduce investigative functions and powers of the Independent Broad-based Anti-corruption Commission. The coalition is quickly developing a record of being prepared to tackle issues that have remained untouched by government for far too long, and, I would suggest, none more so than the

establishment of this Independent Broad-based Anti-corruption Commission (IBAC). Through this place a number of pieces of historic legislation have already passed, including the bill to establish the commission itself, the bill to establish the Victorian Inspectorate and the bill to establish the Public Interest Monitor. Without a doubt this is the most far-reaching anticorruption legislation that has been brought into this place at any time since the foundation of the colony of Victoria so long ago.

I strongly support the approach that has been taken by the Minister responsible for the establishment of an anticorruption commission. It is a measured and staged approach to reform, and that approach is necessary in order to get it right. I am certainly pleased in the context of this bill to support these unprecedented powers. The bill provides the capacity to expose corruption in the public sector and to oversee the conduct of members of Victoria Police — that is, both the sworn and unsworn members. The body will have the capacity to review the activities of parliamentarians, of the executive, of local councillors and indeed of anyone else involved in the public sector across the state. It is worth placing on the record that the government learnt from the failures of Labor in this regard. We intend to do it right and we will do it right.

From the other side we have heard nothing but carping and criticism. We have had nothing but rank hypocrisy. We all know that so many members on that side prefer to sit back and criticise rather than do the hard work to get across the detail of a bill and find out what the legislation is actually about. They prefer to invent their own version of the facts no matter how inaccurate and far-fetched those versions may be. It is far easier for them to invent the 'facts', and it is not important to them if the version they are promulgating is contrary to the truth.

We heard tonight a farrago of misrepresentation, exaggeration and omission. It was anything but an accurate comment about the bill. I was intrigued by the first contribution tonight from the member for Altona in which twice she cast a slur on the parliamentary draughtsman and criticised the drafting of the bill. This is not particularly relevant to the government, but it is certainly a slur on the parliamentary draughtsman and it was repeated twice. If anyone doubts that, I invite them to check *Hansard*. That has been the approach of opposition members to this debate. It is hardly surprising given their track record.

Before I turn to the detail of the bill I want to recall some of the history that has led up to the introduction of

this legislation. I think it will be instructive to the debate. Those who have been here for a while will recall the intransigence of and the refusal by the former government to admit there was any problem. Despite calls from many individuals across the spectrum — not just those of us who were sitting on the opposition benches at the time — who understood better than the then Premier what the real situation was, the government refused to act.

Gavan O'Connor, a former federal Labor frontbencher, said in October 2007:

There is an uneasy and growing suspicion in the community that the government's (reluctance) to establish such a body in Victoria has more to do with protecting factional mates from scrutiny than meeting corruption head on in Victoria.

Don Stewart, who was of course a Supreme Court judge, the inaugural head of the National Crime Authority and three times a royal commissioner, said:

Why the Victoria Police don't want, and the Victorian government will not have, an independent wide-ranging judicial inquiry into police corruption, such as was had in Queensland and New South Wales, is obvious. They know that it would reveal what they don't want revealed.

There are a number of other quotes there as well, but I think these give the flavour of the sentiments that we all recall were being expressed.

People who were around in that era will recall that finally and eventually the then Premier, Mr Brumby, asked Elizabeth Proust to review the integrity and anticorruption system in Victoria. The findings of her report, which were released in June 2010, were that there were concerns about specific areas where corruption may be occurring and a comparatively high level of concern within the Victorian community regarding the effectiveness of current efforts; there were opportunities to improve the comprehensiveness of the system; there were gaps in the jurisdiction; bodies were unnecessarily constrained in their ability to work as an efficient, effective and coordinated system; and on it goes. It was a comprehensive report, but it was not about having one simple body; it was about trying to stitch together a patchwork of bodies — that is what the Premier of the day demanded.

The clippings from 3 June 2010 are instructive. The word 'backflip' features very regularly in coverage by both the *Herald Sun* and the *Age* — particularly the *Age*. An article headed 'Brumby's backflip on corruption' features the following quote from the then Premier:

My personal view has always been against the establishment of such a mechanism. On balance, I have been persuaded.

And there is the backflip.

It is interesting to go forward a couple of days to 7 June 2010, just three days after the comment 'I have been persuaded', when the Premier refused to allow a staff member to appear before a parliamentary inquiry into the Windsor Hotel planning scandal. He was persuaded three days later that it was business as usual, and I think that is instructive.

But what did the author of the independent review think? During an interview on *Stateline* Ms Proust said of Ms Duke, in the context of her report:

I would expect her actions would be referred to the parliamentary integrity commissioner and the parliamentary integrity commissioner would examine what she has done — or alleged to have done — and then if he finds that action requires further investigation, he or she would refer that on to the new commission.

Yet the former Premier refused to act. So despite the report and all that talk, we know what Labor's track record is.

I want to confront a couple of furrphies that have been created and repeated in this debate. The first relates to the discretion that is to be given to the Commissioner to make recommendations arising out of investigations to the relevant principal government officer, to the minister or Premier. I want to make the point clearly — and of course the opposition is aware of this but refuses to acknowledge it — that this provision gives discretion to the Commissioner in exactly the same way as it is currently given to the Ombudsman. That discretion exists for the Ombudsman and for the Office of Police Integrity, which of course was created under Labor legislation, and there are similar provisions for the Independent Commission Against Corruption in New South Wales, the Crime and Misconduct Commission in Queensland, the Corruption and Crime Commission in Western Australia, the Integrity Commission in Tasmania and similar bodies in New Zealand and in jurisdictions of Canada. That is the way these things are normally set up, and it is simply not true to suggest that this legislation is extraordinary or a mechanism for sweeping dirt under the carpet — and the opposition knows that.

The second point I want to come to relates to the commission's examination and referral powers. Again and again people have talked tonight about the lack of examination and referral powers. This bill is about the commission's investigative powers. The opposition is aware — and the member for Altona was well and truly made aware of this — that, as stated in a media release from the Minister responsible for the establishment of

an anticorruption commission, Minister McIntosh, on 8 December 2011:

Further legislation will be introduced to give IBAC its examinations and referral powers.

That is the situation there.

I had hoped to have the opportunity to go on to talk about the structure that is being established under this legislation; sadly time beat me on that. I commend the minister on putting together a progressive, improved and ultimately very effective package. It is good legislation, and I am proud to back it. I commend the bill to the house.

Mr BROOKS (Bundoora) — I have been able to sit back and listen to the contributions of government members tonight and to have a look at the legislation that was laid on the table here before our Christmas recess. What an embarrassment this piece of legislation is to this government — a government that came to power promising so much in so many areas.

This piece of legislation has been an abject failure in terms of delivering on what the government said it would do for the Victorian people. It said it would have an independent, broadbased anticorruption commission up and running within six months. Some 14 months later the government is still trickling legislation into the house to put together this independent, broadbased anticorruption commission. With the legislation coming into this house, we start to see the change in direction that the government is taking in various areas, the things it is changing and the areas where it is retreating from what it has said in the past.

Of course the legislation we are debating in the house tonight was clearly framed in the shadow of the scandal of the *Crossing the Line* report into the Office of Police Integrity. You can read this legislation and almost tick off the clauses that have been written by members of the government to ensure that the sort of embarrassment caused by that scandal does not see the light of day under the Independent Broad-based Anti-corruption Commission. We know that there are gaping holes in the bill and that there are still significant pieces of legislation that need to be considered just to get this IBAC under way. One of the areas that I was keen to examine in debate on the bill was how hearings would be conducted but there is no mention in the bill of that matter, and I am assuming that that will have to come forward in future legislation.

The previous speaker complained that opposition members had not addressed the specifics of the bill in

their contributions. I find that quite breathtaking considering the detailed lengths that our lead speaker, the member for Altona, went to in pulling the legislation apart. It was a forensic exhibition of how to destroy a piece of legislation through debate. One part of the bill that I would like to focus on is part 6, regarding recommendations, actions and reports, and in particular clause 83, which I refer to as the 'Baillieu protection clause'. This clause is a very dangerous part of the bill not just for democracy in the short term — because it has the ability to keep corruption under wraps with this particular government — but because governments change backwards and forwards, and it is a very bad piece of legislation.

Clause 83 effectively says that the IBAC can make recommendations on some matters to the relevant principal officer — which in most cases will be a departmental head — to the responsible minister or to the Premier. So if you overlay the events of the Tristan Weston *Crossing the Line* scandal on an IBAC investigation, you would have a report in private, by the IBAC, presumably to the Premier or the responsible minister, and then they would determine how to address the matter. We know what would have happened: that scandal would never have seen the light of day, and that is the great danger in this clause — it will conceal corruption or misconduct from public view.

Therefore when we hear members of the government talking about transparency and about sunlight being the best disinfectant we need to remember that they have carefully drafted into the legislation a protection clause to keep a lid on this sort of behaviour so that when the IBAC makes direct recommendations, which are specifically set out in clause 83(2), they will be kept private. That is a dangerous clause, not just while we have this government in place but for future governments as well.

The other clause I would like to refer to concerns the investigations that involve judicial officers. I fully support the separation of powers and understand the careful way in which we must approach investigations into judicial officers by someone who will be, by definition, an officer of the Parliament. I also note that the Scrutiny of Acts and Regulations Committee report has highlighted that that committee has no concerns, given the safeguards in place, with parliamentary officers being able to conduct investigations of judicial officers. But I am concerned that clauses 42 and 43 of the bill restrict the way in which IBAC investigates judicial officers.

It sets out that, first of all, any investigation of a judicial officer has to be carried out by a former judge or magistrate who has been sworn in by IBAC. Not only will a judicial officer be investigated by one of their own but clause 43 sets out that the findings of reports on corruption around judicial officers are not to be included in special or annual reports. My concern flowing from those two clauses involves a potential situation where investigations of corruption into judicial officers will not see the light of day. They will not be in reports tabled in this Parliament along with every other report or investigation by the IBAC. I think that is the appropriate forum for these sorts of reports.

We have Auditor-General's reports tabled in both houses of Parliament for the public to assess and for the media to scrutinise, so we will have the situation where every other public sector worker will be subject to, I presume, the IBAC's discretion in publishing a report that is tabled in Parliament but not judicial officers. We will have teachers, nurses, public sector workers, police officers, council garbage collectors — all of these people whom I would describe as ordinary working people — being subjected to full investigation, and I have no problem with that, and a report of their conduct could be tabled in this Parliament, but judges and judicial officers have a separate system.

I think that is an important point to consider because I do not think there should be two different systems. I think there are some small differences and areas where we need to ensure that that separation of power is protected but I do not see the need for the strong protections that have been granted to the judicial officers.

To recap, my main concerns about the bill, firstly, is that it is late. The government promised that the whole IBAC would be up and running within six months, yet here we are some 14 months after the election of the government and we are still in the middle of the legislative process. It demonstrates that the government does not have the ability to have large reforms implemented within its stated time frames. In addition, the legislation is incomplete, and in contributions from government members and certainly in the second-reading speech there has been no indication as to when the next tranche of legislation will come forward and no time line for the legislation.

The legislation lacks transparency, and I have just outlined at least two clauses where reports of possible corruption will not be made public. One example is where reports are made directly to a minister or to the Premier, and the other is in the case of judicial officers.

Of course, to go back to the issue of reports made in private directly to the Premier or ministers, one can well imagine, given the behaviour of this government, that reports of misconduct or concern that the IBAC makes to a minister or the Premier about government members probably will not see the light of day, but I would like to wager a bet that reports of misconduct or adverse findings around anyone considered a political opponent of this government will probably find their way into the media.

I have noticed over my time in this place that, particularly with this government, Auditor-General's reports or Ombudsman's reports have a funny way of finding their way to the media before they are tabled in this place, and I think it is quite a serious problem, and it will be a good move if we could institute some higher penalties for those who leaked such reports to the media. The bill treats some sections of the public sector differently from others, and I do not see why judges should necessarily receive a higher degree of protection than ordinary people like council workers, nurses and teachers. The bill is framed by a government that is on the back foot after a very major scandal, and the Victorian people deserve much better.

Mr WAKELING (Ferntree Gully) — It gives me great pleasure to speak on this significant piece of legislation, which establishes a broadbased anticorruption commission. I, for one, am a proud member of a government that is keen to see the bill introduced into Parliament because we have been very clear and consistent in our position on the establishment of such a body.

As colleagues before me have indicated, opposition members have no clear position on this bill. Two years ago the then government, led by former Premier John Brumby, was opposed to the establishment of such a body. Then in July 2010, with the handing down of the Proust *Review of Victoria's Integrity and Anti-Corruption System* the Premier said he supported the introduction of such a body, and now the opposition clearly does not know what it stands for. It has reverted to type and now opposes the establishment of this important body.

The members of the party opposite have decided that the words of John Brumby in 2010, their leader at the time, no longer stand true. Those opposite stand condemned. That is exactly why we on this side of the house formed government on the back of reforms such as this. This is significant legislation because it deals with the root of corruption, which has beset some within this state. You do not have to talk about the

actions of people on this side of politics. I remember sitting in this house and the former member for Keilor standing in his spot over there, representing his local community and complaining about corruption by members of the Labor Party within his local community. The former member called for action. He could not get action from his own party, but the member for Shepparton requested an investigation. As we know, the sorry tale that was Brimbank was brought to light. That demonstrates the need for a body such as Independent Broad-based Anti-corruption Commission (IBAC).

Those opposite can sit there and whine and carp and peruse the legislation if they choose, but the simple fact is that this coalition went to the election with a clear policy to establish an independent broadbased anticorruption commission, and that is exactly what this government is doing. This government is establishing legislation it said it would. All summer long the opposition has been feverishly throwing around conspiracy theories about this new commission. It has been some of the silliest of silly season fodder. If you did not know any better you might give the member for Altona the benefit of the doubt. Maybe she just does not get it or has not had time to get across her brief. However, we know better. Not only does the member for Altona not get it; she has been wilfully twisting what this bill is and what this bill does.

Members who spoke before me highlighted the way in which those opposite have sought to interpret the bill. Under IBAC, the Commissioner will be able to provide a recommendation directly to senior officers in government departments and agencies. 'Outrage' came the cry from the member in her lead contribution, deliberately ignoring the fact that similar provisions not only currently apply to the Office of Police Integrity and the Ombudsman but also apply to other anticorruption bodies in New South Wales; Queensland; Western Australia; Tasmania; New Zealand and even Canada.

Opposition members have not grasped the mood of the Victorian community. They can sit in this house and pretend that they believe what they stand for, but it is clear to the Victorian community that those opposite stand condemned because they are out of touch with the needs of that community. This government has made it clear that it is intent on introducing a raft of legislation to deal with law and order, the justice system and — as this bill is before the house — the establishment of this important broadbased body. Like other members on this side of the house, I attended a summit last year with speakers from around the country who provided

significant advice to the Victorian community on how such a body should be established. I commend the minister at the table for the work he has done and the work he is doing on the establishment of this important bill.

Just last weekend the opposition spokesperson wondered out loud why this bill does not set out the ways in which people will be called before IBAC. In fact the member even went as far as to get legal advice on this point. We can only hope she did not pay for that advice. We will try to keep this as simple as possible for those opposite. This bill details the IBAC investigation powers. As other members have pointed out, another bill will introduce the IBAC examination powers. How do we know that? We know that because it is on page 5 of the second-reading speech. I am happy to table a copy for those opposite if they have not received it or did not manage to see it. It states:

Further legislation will contain examination and referral powers ...

I am happy to table that and provide it to the member for Altona. If she did not manage to catch it in the second-reading speech, we are more than happy to provide the government's media release. The last I recall it was on the government website, and that spelt it out as well.

This piece of legislation is significant not only in the sense that it is establishing this important body but also because it is a stark reminder of the clear difference between where this side of the house stands on issues of law and order in terms of integrity of government and how we deal with corruption and where those opposite stand. Those opposite stand condemned. They have an opportunity to come on board, support this important piece of legislation, understand the significance of it and back it, because this is something that the Victorian community has been crying out for.

Opposition members lived with Brimbank. They understood the impact of Brimbank on their own party, they understood the impact of Brimbank on the Brimbank community and they understood the impact of Brimbank on the broader Victorian community. This is an opportunity for them to come out to support this important piece of legislation and understand that they got it wrong in the past. In 11 years they did not provide this legislation. They can back this important piece of legislation, and more importantly, Victoria will see the establishment of this significant body.

The SPEAKER — Order! The member for Melton has 5 seconds.

Mr NARDELLA (Melton) — I might continue my contribution tomorrow.

The SPEAKER — Order! I think that is probably a good idea.

Business interrupted pursuant to sessional orders.

ADJOURNMENT

The SPEAKER — Order! The question is:

That the house now adjourns.

Community services: funding

Mr PERERA (Cranbourne) — I wish to raise a matter for the attention of the Minister for Community Services. The action I seek is that the minister provide adequate funding for our residents who are simply doing it tough.

Over the last year we have unfortunately been seeing many residents in the electorate of Cranbourne who are simply doing it tough. My office is inundated with residents seeking crisis accommodation, replacement of whitegoods, nutritious food, clothing or assistance with school fees and uniforms — and most are seeking all of the above.

It is very unfortunate that the Baillieu government has simply walked away from adequately funding our agencies and charities that duly support our most needy. As an example, the Home Wise hardship grant program was an important program that provided no-cost assistance to low-income earners who simply could not afford to repair or replace their essential faulty appliances, such as hot-water services, wall heaters, refrigerators, washing machines, generators, leaking water pipes, stoves, water tanks, toilets and leaking gas pipes.

The electorate of Cranbourne is home to many non-government agencies and charities that do a fantastic job in helping our most needy to move forward. However, they can only do so much with the limited support they get from the Baillieu government. I have been advised by many of the electorate's non-government agencies that over the last year they have been struggling to supply our most needy residents with food vouchers, rent in advance for the ones who have secured private rental properties, and funding for crisis accommodation, to name a few of the huge challenges that the agencies are facing.

Recently I received a letter from the City of Casey's chief executive officer, Mike Tyler, seeking the support

of local MPs, the Municipal Association of Victoria, the Victorian Local Governance Association and all Victorian councils in advocating and lobbying this do-nothing government to support an appropriate level of funding for our agencies and charities. Mr Tyler states in his letter addressed to me that Casey City Council recognises these requirements as necessities that are inadequately provided for by the government. We need to take action, to stand up and help our most vulnerable and to not just walk away.

I am sure there are many members of this house who have had constituents calling into their office seeking assistance with the types of real-life support I mentioned earlier. I urge the minister to provide adequate funding to our non-government agencies and charities through the state.

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

Evelyn electorate: sporting clubs

Mrs FYFFE (Evelyn) — I wish to raise a matter with the Minister for Sport and Recreation. The action I seek is that the minister come to my electorate of Evelyn and officially open two sports venues that have both received much-needed upgrades.

Sporting clubs form an integral part of the Yarra Valley community. Not only is participation in sports one of the best ways to stay active and fit, but many sporting clubs are also fantastic social networks. They are very important for building up that sense of place and sense of belonging, particularly when you have people moving into an area who do not know anyone. Their children play sport and they play sport, and they build up those social networks.

I lobbied for many years for sports funding for the Evelyn electorate, and I was pleased with the Baillieu coalition government's budget, which saw \$340 000 worth of direct investment into sporting clubs in Evelyn; \$100 000 was used to resurface the Lilydale recreation reserve, which is the main football and cricket oval in Lilydale and one of the leading grounds in the Yarra Ranges. Lilydale Football Club has a large number of members, and they are formidable competitors with a long history in the area. But not only are they excellent football players, they are also great members of the community.

Mr Weller — Premiers!

Mrs FYFFE — Premiers — the member is right. The football club works well with Reclink Australia. It actually does a lot with Reclink, including providing

the use of its facilities and the clubrooms, providing trophies and assisting with its work. It also works with an Italian friendship group whose members have lunch there and have their meetings in the clubrooms. The club's members are always reaching out, and the president and the committee need to be congratulated in that they extend their activities beyond football.

The reserve was used as an emergency relief centre during the Black Saturday bushfires, which saw many families camping on the main ground during that tragic time. That, combined with the heavy rain in late 2009, left the playing surface considerably damaged. The surfacing works are now finished, the grass is growing well and the reserve has been restored to its former glory.

The government also supplied \$140 000 to the Mount Evelyn Tennis Club. The club has been a fixture of the Mount Evelyn township for almost a century. The minister will recall that when he was out there looking at what was needed he met the dynamic committee members and saw how much they are working towards building up the number of club members. They are so happy with the lighting, and they are increasing the numbers of youth coming into the club, which is terrific, because Mount Evelyn, like all country towns, has insufficient activities for young people. They are very keen for the minister to come out. In fact I would ask the minister to pack his tennis shoes, because I think he is going to be subject to another hit and miss. They beat him completely on his last visit, but they would like to give him another opportunity to maybe score a few points. If the minister could spare the time in the next few weeks, I would really appreciate it.

Country Women's Association: Castlemaine branch

Ms EDWARDS (Bendigo West) — The matter I raise is for the Minister for Local Government, and the action I seek is that the minister immediately intervene and support the Castlemaine branch of the Country Women's Association by writing to the Shire of Mount Alexander and demanding that it rescind the excessive charge of over \$2770 it is imposing on the Castlemaine Country Women's Association (CWA) for the use of the Ray Bradfield rooms in Victory Park in Castlemaine — rooms that the Country Women's Association has used for free since 1997.

The Shire of Mount Alexander has recently slugged the Castlemaine Country Women's Association with a hefty room usage fee of over \$2770 for the 2012 year. The Castlemaine CWA came to me three weeks ago to ask for my support in its dispute with the council. After

a number of meetings with council staff and the mayor the CWA felt that its concerns were being ignored. The CWA has used the Ray Bradfield rooms in Castlemaine for meetings and events since 1997 and has never been charged room rental before. The Ray Bradfield rooms are known as the CWA rooms, and a plaque on the wall outside, as well as a plaque on the inside, clearly says that these rooms are for the use of the CWA in perpetuity for as long as it continues to meet.

The Castlemaine CWA handed its original clubrooms over to council in 1996 in exchange for a guarantee that it could use the Ray Bradfield rooms for as long as it continued to meet. Its first meeting was held in these rooms on 14 November 1997. The Castlemaine CWA meets two or three times a month in the Ray Bradfield rooms and holds fundraising events in the rooms as well. The rooms are used by other community groups when the CWA does not meet.

As we know, the CWA is a voluntary organisation made up of women who do a power of work in their local community, and it survives through their fundraising efforts. During times of flood, fires and drought these women are there helping out their communities. They are front-line volunteers who know their communities well, who care for some of the most disadvantaged in the community and who work tirelessly to raise funds for other organisations and individuals. They do not make huge profits. The mayor of Mount Alexander shire has recently stated that there is nothing special about the CWA. Many, including myself, beg to differ.

The Minister for Local Government, a member of The Nationals, should let the CWA know if she supports the shire's move to charge this exorbitant fee. The CWA also deserves an explanation as to why it has now been slugged with this enormous bill when it has never been charged for the use of the rooms before. To slug the CWA with this huge amount, which it cannot pay, is a disgrace. What we know is that the shire is short of funds because it has been forced to tighten its purse strings due to a lack of state government funding. It is disgraceful that community organisations such as the Country Women's Association are being targeted to make up the shortfall. I call on The Nationals Minister for Local Government to come out of hiding and support the Castlemaine CWA.

Rodney electorate: ICT skills grants

Mr WELLER (Rodney) — I wish to raise a matter for the attention of the Minister for Regional and Rural Development. I commend the government for its commitment to regional and rural communities through

the regional and rural development community ICT skills grants program. I see this program benefiting many individuals in my electorate.

Many people living in rural communities experience ICT exclusion because of their economic status. Not everyone can afford a computer or an internet connection, and, as we are all aware, much of the information available to us in this modern day of smart phones, wi-fi and laptops is delivered via the internet or email. The internet can open up the world for many rural community members, who, unlike their city counterparts, do not always have access to up-to-date information at the click of a button. Providing rural community members with access to ICT and giving them the skills to use it effectively can allow them to connect with others more easily, gain access to useful information and services as well as employment and educational opportunities and in some cases improve their health and wellbeing.

The ICT skills grants program could be used by individuals in my electorate for a variety of community projects including volunteer training, development of training materials or online resources for community networking and the purchase of much-needed equipment. Two groups within my electorate which would benefit immensely from the ICT funding are the Echuca neighbourhood house and the Stanhope and District Development Committee, and I ask the minister to support submissions from these two organisations.

The Echuca neighbourhood house has asked for funding to replace its outdated computers, update the community website and provide free ICT training for those in the Echuca community. If successful in its application, the Echuca neighbourhood house also plans to use the funding to update computer and teaching equipment and make changes to its website to include more accessible information and an online booking system. It also hopes to cover the costs of transport and child care to enable more members of the community to attend classes at the neighbourhood house.

The Stanhope and District Development Committee has also made a submission for funds to replace and update old computers and provide an improved level of internet access and ICT training to those in the community. This group also plans to provide senior citizens, tradespeople, tourists, disadvantaged groups, local businesses and drought-affected farmers with greater access to computers and the internet.

I ask the Minister for Regional and Rural Development to consider both these groups when distributing the

funds through the community ICT skills grants program and can assure him that many individuals in the community will benefit — —

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

Alcoa: Point Henry smelter review

Mr TREZISE (Geelong) — I raise an issue in tonight's adjournment with the Premier, and it relates to the concerning announcement made today by Alcoa that it has commenced a review of the future viability of its Point Henry smelter. This is of grave concern to my community of Geelong and the 600 people who are employed at Point Henry. The action I therefore seek from the Premier is for him to become directly involved in this issue and, in doing so, ensure that all avenues are explored and all possible actions are taken by his government to assist Alcoa in the future viable operation of its Point Henry smelter.

As I said, the announcement made by Alcoa today is of grave concern to the community of Geelong and especially those workers and their families employed at Point Henry. Of course the concern for actual jobs does not stop there, because it is estimated that for every job at Alcoa three other indirect jobs are created as a result of that employment. As a person who grew up in Newcomb, a working-class suburb only a few kilometres from Alcoa, I would guess this figure is far higher in suburbs like Newcomb. This important issue warrants the direct involvement of the Premier and his Minister for Manufacturing, Exports and Trade. We do not want a repeat of what we saw at the call centre operator Salmat, which closed down last year with more than 100 jobs lost to Geelong. Not once did the Premier or the minister provide any direct support or assistance to save those jobs.

The Alcoa announcement today once again highlights the absolute necessity for this government to develop and implement a jobs plan which says to businesses, both national and international, that this state is open for business and on the front foot when it comes to creating employment. In raising this matter and highlighting the need for a jobs plan I am not blaming this government for the concerns expressed by Alcoa or for the factors listed as reasons why, in the company's words, Point Henry is becoming unprofitable — factors including rising metal prices, input costs and exchange rates. It is interesting to note that in listing those points Alcoa went out of its way to highlight the fact that the review was not prompted by a future price on carbon.

It is imperative that this government roll up its sleeves, get involved and do whatever is possible to assist Alcoa and its employees. As Alcoa said in a press release today:

Our goal is for Point Henry to continue operating and meet its profitability targets ...

...

We will do all we can to ensure the smelter is competitive.

Furthermore, Alcoa has given a time line of five months until it will make a decision on the future of the smelter. So all is not lost — far from it — but the next five months will be vital for the future of Alcoa in Geelong, and I know that Alcoa together with its employees, unions and other stakeholders will be doing everything possible to make sure the smelter is not closed down. I implore the Premier to make sure he and his government are in there as well.

Kilsyth electorate: sports facilities

Mr HODGETT (Kilsyth) — I wish to raise an important matter with the Minister for Sport and Recreation. The action I seek is for the minister to visit my electorate of Kilsyth to inspect the progress on the election commitments the Victorian coalition made during the 2010 election campaign in the portfolio of sport and recreation. During the 2010 election campaign the coalition committed to funding a number of terrific projects in the electorate. I want to mention a few of these important and worthwhile projects in my local area. The Kilsyth electorate is very diverse, but the community is one that passionately follows sporting and leisure pursuits.

Prior to the election I had the pleasure of announcing brand-new clubroom facilities for Barneong Reserve in Croydon. Barneong Reserve is home to several local sporting clubs, including the Croydon North junior cricket club, Croydon Junior Football Club and Croydon Rams Baseball Club. As the member for Kilsyth I was immensely proud to promise funding from the coalition government for these facilities, particularly as they are most commonly used by junior clubs. I strongly believe that the kids who play sport in Kilsyth deserve the best facilities and will relish the new and larger facilities this funding will provide. The Baillieu government is committed to local grassroots sport and is well aware of the benefits to communities that regular sport and leisure and sporting competition provide.

I call on the minister to come to Kilsyth to view the site and current facilities at Barneong Reserve and see firsthand the benefits that will be derived by the local

community and local sporting teams from this funding and development.

Other election commitments made by the coalition in the lead-up to the 2010 election included funding for the master plan design for the new clubrooms at Silcock Reserve and a brand-new netball facility at Pinks Reserve in Kilsyth. These facilities include brand-new outdoor courts, improved car parking and construction of a pavilion. Construction of the centre at Pinks Reserve is well under way, with the courts likely to be operational for the 2012 winter competition.

In relation to the funding for the master plan design for the new clubroom facilities at Silcock Reserve, Croydon, this master plan design is the first step in the vision for fantastic new facilities at the reserve. This is very exciting for the tenant clubs. Silcock Reserve is home to the Croydon Ranges Soccer Club, the Croydon Ranges Cricket Club and the Croydon and District Obedience Dog Club.

I call on the Minister for Sport and Recreation to view the progress of these projects while visiting the Kilsyth electorate. The Baillieu government is committed to supporting local sport, and our junior and senior clubs and all user groups will benefit from these investments in our local sporting and recreation facilities.

Buses: GisBus

Ms DUNCAN (Macedon) — The matter I wish to raise is for the attention of the Minister for Public Transport. The action I am seeking from the minister is for the GisBus service to be retained permanently and extended to other areas within the Macedon Ranges. GisBus was introduced in January 2009 and was a unique service at that time. I believe it is still a unique service. GisBus is a demand-responsive service that operates like a cross between a bus service and a taxi service. It has a roaming area, and commuters within that area are able to call the service and be picked up and taken to the railway station. It is also increasingly being used by school students in areas such as Bullengarook to bring students into Gisborne, where they can pick up other school bus services.

Patronage on this service has steadily grown since its introduction, and it is still growing. Currently patronage is between 6000 and 7000 passengers per month, and growth in the town of Gisborne is considerable. There is not a lot of public transport in the Macedon Ranges. The GisBus service needs to be extended to weekends and off-peak periods. There are many other towns within the Macedon Ranges that would benefit greatly

from such a service, such as Macedon, Riddells Creek and Woodend, to name just a few.

The bus service is enhanced by the personalised nature of the service it provides. I congratulate Pino Gattellaro and his drivers, who know their customers well. The bus currently runs in the morning and afternoon peak periods Monday to Friday and connects to train services to and from Melbourne. It travels to stops along a route between the Gisborne town centre and the station. Bookings can be made in advance for pick-ups from a designated roaming area in Gisborne, as I said, as well as from the existing route.

This service has huge community support and has experienced growth in passenger numbers to in excess of 6000 a month. Gisborne is a growing town, and the railway station is 5 kilometres from the Gisborne town centre, so GisBus has been very successful, particularly since the upgrade to the regional rail service, with more commuters choosing it as their preferred way to travel to Melbourne.

I know that many families have been able to revert to one-car families since the introduction of GisBus. Naturally Gisborne commuters are anxious about this service, which was initially set up as a trial for 18 months. A final review of this service was imminent, according to a letter from the minister dated 25 May. Commuters are unclear about the retention of this vital service. I ask the Minister for Public Transport to commit to the continuation and extension of this service and to communicate this intention to the Gisborne community as soon as possible.

Murray Valley electorate: ICT skills grants

Mr McCURDY (Murray Valley) — I wish to raise a matter for the Minister for Regional and Rural Development. The action that I seek is that the minister consider financial support for some important community groups within the Murray Valley electorate. Recently the minister announced a community information and communications technology skills grants program. This program is targeted at assisting groups within the community that have traditionally been less likely to access computer technology, which includes Victorians living in remote or isolated areas. Isolation does not necessarily mean that you live 500 kilometres from the nearest post office; it can mean that some community members with either disabilities or mobility restrictions cannot access traditional forms of technology and communication.

This program has enormous appeal to groups within my electorate — for example, the Cobram community

house is a proactive learning centre that offers many short courses and upskilling programs within the Cobram and surrounding region. A grant to this group would assist small outlying communities as well as a specific group within the town of Cobram. It would also engage socially and physically isolated and culturally and linguistically diverse communities and older community members. It would enable those who have been previously unable to access training to develop skills within a small and supportive environment.

There is a high demand for this type of training. Participants who have taken part in previous similar programs have identified a need for basic computer use training, but a lack of equipment has prevented demand being effectively met. E-leadership individuals would be encouraged and groomed, developing their potential to be engaged as points of contact within the community — for example, in retirement homes.

The Numurkah community learning centre is another outstanding success story within the Murray Valley electorate. This learning centre takes part in an active partnership with Learn Local providers across the Moira shire, and, like the Cobram community house, it works tirelessly to service the needs of its clients. Many residents in Numurkah and district are not currently involved in computer training due to the cost and time in travelling to training venues, the relevance of courses and the cancellation of courses due to small numbers.

The last group I would like to draw the attention of the minister to is the Pangerang community house in Wangaratta. It too would like a role in providing a range of training and participation opportunities for aged and digitally excluded members of the Wangaratta community. A high proportion of the Wangaratta population is aged, has a disability or experience difficulty in accessing equipment. Any assistance would be greatly appreciated. Pangerang would be able to assist those members of the community through training and with up-to-date and specialist equipment. Keeping up-to-date with information and communication technology is important for employment, education and social engagement, and I seek the minister's assistance to support these community centres.

Rail: Hallam station

Ms GRALEY (Narre Warren South) — My adjournment matter is for the attention of the Minister for Public Transport, whom I am pleased to see in the house tonight, and concerns commuter facilities at the Hallam railway station, including the lack of toilets.

The action I seek is that the minister immediately reinstate the premium station upgrades scrapped by the Baillieu government last year so that Hallam commuters can at least have access to a toilet.

In the 2010 state budget the former Labor government allocated funding for 20 premium station upgrades, including an upgrade of the Hallam station. This upgrade would include staffing from first train to last train each day, better ticketing facilities, improved disability access and toilets. Despite the funding for the premium station upgrades being included in the 2010 budget, the Baillieu government decided that the upgrade of the Hallam station was not needed because eventually there will be two protective services officers (PSOs) at Hallam station after dark.

Our local community clearly does not agree because two PSOs will not provide the customer service that staffing of the station would provide and nor will they provide improved disability access at the station. Two PSOs would also not provide commuters with toilet facilities. We have been led to believe the toilet facilities will be built at Hallam station when the PSOs eventually arrive; however, they will not be open to the public. Meanwhile local commuters have been telling our local papers that they are finding it difficult using Hallam station without a toilet.

The *Cranbourne Leader* reported in November last year that a pregnant woman got stuck in the Hallam station car park with a broken down car and needed to go to the toilet but was unable to do so. She experienced severe kidney pains and later presented to the emergency department of Casey Hospital. We know from the statistics that 13 per cent of Australian men and 37 per cent of Australian women experience urinary incontinence — not to mention the toddlers, those with disabilities, the elderly, the women who just do not get enough of those pelvic floor exercises happening and men suffering from prostate cancer.

Another commuter, so exasperated by the Baillieu government's inaction, went to the extraordinary length of making a sign which read, 'Mr Baillieu — all I want for Christmas is a toilet at my station!' and putting it up at the station. Perhaps that sign needs to be relocated to the office of local upper house Liberal MP Inga Peulich, a member for South Eastern Metropolitan Region, as she is yet to be convinced of the need for toilets at Hallam station. We all know what happened to the toilets in her personal office. It was not that long ago that Mrs Peulich wasted taxpayers money removing a toilet from her office only to be required to reinstate it. She was willing to waste public money on

her personal toilets but will not go in to bat for Hallam residents.

As Derryn Hinch said today, this is a do-nothing government, and we have a dithering Premier who just sleepwalked into the chamber and sleepwalked out. The least those opposite could do is give Hallam commuters a toilet. I say to the minister, who is in the house, surely that is not too much to ask.

Tourism: high country food and wine events

Mr TILLEY (Benambra) — I wish to raise a matter for the attention of the Minister for Tourism and Major Events, who is present in the chamber with us along with the Deputy Premier, the Minister for Public Transport, the Minister for Sport and Recreation, the Minister for Multicultural Affairs and Citizenship —

Mr Trezise interjected.

Mr TILLEY — The Premier passed through just moments ago. It is great to see that the coalition government pays attention to the adjournment debate and has a keen interest in what goes on in here for the state of Victoria.

The action I seek from the minister is that he provide funds to assist with further food and wine events to grow tourism in the high country. Last year the coalition government provided \$20 000 for the 2011 Harvest Celebration in Beechworth, which I can report was an enormous success. The event, which began in 1994 as a small market where local fruit producers could sell their products, was moved from the main street of Beechworth to Beechworth's La Trobe University site, a spectacular location. The event ran for two days. A wine room was introduced with a focus on local wines, styles of winemaking and differentiation of the five distinct wine regions of north-east Victoria. A gala dinner featured renowned food journalist Margaret Fulton, who is greatly popular and has been around for many years — and we would love to see her go on for many more.

The injection of tourism dollars is an enormous benefit to this community. Twenty-four per cent of visitors come from Melbourne and 7 per cent from regional New South Wales and Canberra, and 36 per cent stay two nights or more. Tourism is a significant economic driver for Victoria, particularly its north-east. With the rise in popularity of food and cooking reality TV shows, there is an opportunity to foster this culture while at the same time supporting local producers and assisting in the promotion of regions on the food map.

Mr Ryan — Tangambalanga.

Mr TILLEY — Absolutely, Tangambalanga. That got another mention today, and I thank the Deputy Premier. I ask the minister to consider further support for food and wine events to help grow this tourism market.

Responses

Mr RYAN (Minister for Police and Emergency Services) — The member for Rodney and the member for Murray Valley have raised issues with me in relation to what I believe to be a wonderful program, the government's 2011 community ICT skills grants program, which I had the great pleasure of launching in September last year. It is a \$600 000 program intended to enable various individuals and organisations access to grants of up to \$25 000.

The program supports community organisations to increase and develop the use of information and communication technology — ICT for short — and for those groups and communities who have traditionally been unable to access its benefits to do so. Amongst the various individuals and organisations involved who might be able to access the program are senior Victorians over 55 years of age, people with a disability, families facing financial hardship, recent migrants and refugees, and people living in remote and isolated regional locations.

As the member for Murray Valley has indicated, the definitions of 'remote' and 'isolated' do not necessarily mean long distances in the geographic sense. People can be remote and isolated and live in areas which are close to main locations but are nevertheless removed from the capacity to access modern forms of technology. The grants of up to \$25 000 are provided to community organisations for projects that amongst other things recognise the specific ICT needs of their communities, provide ICT access and training for ICT-excluded groups and communities, demonstrate innovation and flexibility in their use of ICT and promote partnerships with other local community organisations and service providers.

In his very erudite comments this evening the member for Rodney spoke of applications which have been launched by the Echuca neighbourhood house and by the Stanhope and District Development Committee. I am very pleased to be able to tell the member that I have recently approved a number of grants under this program. Amongst those, as it happens, is a grant of \$25 000 to the Echuca neighbourhood house for its program Into the Future with ENH that will undertake the various initiatives which the member so eruditely summarised in the course of his commentary this

evening. Furthermore I am also pleased to tell the member that a grant of \$15 432 has been approved for the Stanhope and District Development Committee. This is for the replacement of eight computers at the Stanhope Business Centre. Again the member outlined the general purpose of the program which is being pursued by that august organisation.

Similarly the member for Murray Valley outlined in considerable detail the need for grants for three of the applicants who have sought assistance under the terms of the program. I am pleased to be able to tell the member that Cobram community house has been provided with a grant of \$25 000 under the Connecting our Community program. That program will provide, amongst other things, ICT access, skills and opportunities using mobile computer labs to those who would otherwise find it difficult to access and use ICT in the community. There are a range of other elements of the grant application which have enormous appeal and which have accordingly led to me approving that grant. The second grant is \$20 000 to the Numurkah community learning centre for its program NCLT's ICT Upgrade for Upskilling. Members would appreciate that the purpose of that grant is made immediately obvious by the terminology associated with the program itself. Thirdly, in the case of the member for Murray Valley, I am delighted to announce that Pangerang community house is to receive a grant of \$20 809 for its program Empowering the Community Through ICT Skills.

I am therefore pleased to be able to say that in this instance a total of five grants has been approved by me as minister, and I look forward to the opportunity to be able to announce other such grants throughout the length and breadth of Victoria. After all, it is this government that is particularly concerned about supporting our small towns and communities in the regions of this state, and this is yet another example of that purpose being put into practical effect.

Ms ASHER (Minister for Tourism and Major Events) — The member for Benambra has raised a very important issue with me. He initially spoke about the success of the 2011 Beechworth Harvest Celebration. He raised this matter in the Parliament on 1 March 2011 and the organisations were granted \$20 000 in funding in order to secure marketing for that event. He outlined to the house the success of that event, an event that first took place in 1994. There has been considerable discussion in the member for Benambra's electorate about a signature event covering a broader area than the one which currently exists, and I am aware of significant meetings throughout 2011 that came to the conclusion that instead of having a new

signature food and wine event what needs to be done is to expand the existing event and have it take place in other areas. The member for Benambra has asked for funding to assist with further food and wine events in the high country and to ensure that the economic benefit achieved by the Beechworth Harvest Celebration can be spread far and wide into the broader north-east region.

Victoria's high country is one of the state's premier food and wine destinations, and I am pleased to announce that the coalition government will provide \$50 000 to support the inaugural High Country Harvest. The success of the Beechworth Harvest Celebration, known as the feast of the north-east, is going to be leveraged to develop a much wider event right across north-eastern Victoria, which will increase visitation and jobs across that area. The events will be held from 18 to 27 May, and the program will include 15 or so food and wine events under the umbrella of High Country Harvest. This will include the very popular Beechworth Harvest Celebration and the La Fiera food and wine event in Myrtleford.

I am delighted to be able to inform the member of that funding. However, due to very strong representations by the members for Murray Valley and Benalla, events will be held in those electorates as well. All the members across the north-east have been very active in their support of food and wine events in their areas. The marketing campaign for the inaugural High Country Harvest will begin next month during the Melbourne Food and Wine Festival and will occur in key markets, including Melbourne, Canberra and Wagga Wagga. Marketing will include TV, print and radio advertising, and a High Country Harvest website will be set up.

It is absolutely vital to expand and market tourism events in regional Victoria. There are two benefits to marketing these events. The first is the tourism visitation and the economic benefit that comes from that, and the second, which the member for Benambra touched upon, is ensuring that local producers are involved in these types of events. Expanding and marketing these regional events is all about growing visitation and, most importantly, expenditure and jobs within the regions. I am delighted to inform the member for Benambra of that funding allocation.

Mr MULDER (Minister for Public Transport) — The member for Macedon raised an issue with me in relation to the Gisborne town bus service, which is branded GisBus. It is the only town service in Gisborne and it operates a demand-responsive bus which connects commuters to peak V/Line train services on weekdays. Sunshine Tours has operated this service

since its inception on 19 January 2009. The bus operates during the morning and afternoon peak periods and focuses on providing a connection to train services in both directions. Before arriving at the railway station the bus picks up prebooked passengers from prearranged locations in the roaming area. It is scheduled to connect with a large number of the Melbourne–Bendigo return V/Line services. Ticket-holders can use the GisBus service with their existing ticket. Passengers without a V/Line ticket can purchase a bus ticket on the bus. Adult tickets cost \$2.00 and concession tickets cost \$1.00. The service offers very good value for money.

A review of this service was conducted. It was carried out by the strategic planning and development division of the Department of Transport in 2011. Analysis of GisBus shows that patronage has grown continually since the service was introduced. It carries an average of between 12 and 15 passengers, and even the return service carries between 4 and 8 passengers when going against the peak. It appears to me as though the service is pretty well patronised.

The review, which included discussions with passengers and bus operators, identified and looked at a number of issues. Some of the issues that were raised in relation to the service were requests for the provision of a fixed route service, the provision of designated demand responsive stops and requests to finish the early morning service later and start the p.m. service earlier on weekdays. Other issues discussed were installing stops along the proposed fixed route, installing stops at designated demand responsive transport points, updating maps and timetables and producing a Viclink booklet for route maps and timetables, including train times and details of the train connection service. There has been a fairly comprehensive review in relation to this service.

The service will continue. The review has identified a number of areas where, as I say, improvements could be made that would come at some additional cost. We are prepared to look at that. There has not been a decision made at this point in time. It would require some additional funding, and I believe an additional vehicle as well, to be able to offer those services, but you would have to say on the findings of the review that the service is proving popular. We are always looking at ways and means of getting the best possible use out of our bus operations and at innovative ways of providing better service for customers, so I will look at that issue. The member for Macedon can be sure that the service will continue, and we will look at whether or not we can extend it into the future.

The member for Narre Warren South raised an issue with me in relation to Hallam station and its toilet facilities. As the member would be aware, there are a number of stations throughout the metropolitan network at which the toilets have been closed for many years. They were actually closed right throughout the period of the former Labor government. In many cases those toilets were closed for security reasons. That is why the toilets were not operating at those stations — because of security problems.

The member is right in saying that we have conducted a comprehensive audit of the stations. We are looking at issues in terms of PSO (protective services officer) accommodation. That was an election commitment that we made, and that debate took place prior to the last election. We went to the election with a commitment that we would put two protective services officers on each and every station from 6 o'clock until the last train at night seven days a week. The former Labor government stuck with its proposal for premium stations. The Victorian public supported our approach to safety in the streets and on public transport. We are the government of the day; we intend to implement our policy in relation to the protective services officers, and we will continue with that. It almost sounded to me as if the member for Narre Warren South was saying those opposite did not want the PSOs at Hallam.

Ms Graley — I didn't say that.

Mr MULDER — That is good. I am glad that you are endorsing our policy.

Ms Graley — I didn't say that at all.

Mr MULDER — I am very glad that you are endorsing our policy. It is a very strong policy, as I say, very well supported by the community. We will continue to roll it out.

In terms of the issue in relation to the premium stations, we said we would put that on hold until we had delivered our policy commitment to get those PSOs out there. That has to be, and will be, our utmost priority. We will look at other issues following on from that.

Ms WOOLDRIDGE (Minister for Community Services) — I thank the member for Cranbourne for his adjournment matter this evening. It is very important to talk about the issue of families who are doing it tough, and we know there are many in the community who are doing it tough under increasing cost of living pressures for a variety of reasons. But I want to assure the member that whether it was on his own advice or the advice of an adviser or speechwriter, what he was saying in relation to the role of the Baillieu government

was not actually correct. I am very pleased to have an opportunity to talk about what the Baillieu government is doing for families who are doing it tough.

First and foremost, you just cannot go beyond our commitment to the year-round 17.5 per cent concession on electricity. This time last year families in Cranbourne would have been sitting at home in sweltering heat not confident enough to turn on air conditioning, not sure if they could afford it, thinking about the \$2 million a day that was being spent on the building of a desalination plant that we are not going to be utilising at this point in time. This year they can have confidence, because for the first time ever they are getting an electricity concession in February because this government introduced a year-round concession. There will be \$381 million going back into the pockets of Victorian families, including many in the electorate of Cranbourne, with our commitment to address issues, particularly in this case about the rising cost of electricity.

Let us also not forget the \$60 million that we committed to raising the cap on the water and sewerage concession. That \$60 million going back into the pockets of Victorian families who would not have had it otherwise is a very clear commitment to families who are doing it tough, and that significant investment was welcomed very widely.

Of course our commitment to vulnerable families does not stop there, and it has been evidenced in so many of the commitments that we made, including \$104 million for mental health services in addition to what is already being provided, with a particular focus on community mental health. Residents in the city of Casey, the south-east of Melbourne and many of the growth areas will benefit from our investment in both clinical and community mental health. The experience over so many years was an inability to get access in their communities — in their homes and locally — with people falling through the gaps in terms of accessing community mental health services or inpatient mental health services. That has been a significant investment from the Baillieu government.

Alcohol and drug services are another very important area for vulnerable families. We had to fill a \$158 million black hole that was not funded — that is, a third of the budget for alcohol and drug treatment services was not funded in the budget of the previous government. On top of that we had to invest more money for treatment services for those families who are doing it tough and are living with issues related to drug and alcohol abuse.

Child protection has had a \$98 million investment for more front-line workers working with more families — once again, many in the Cranbourne area — who need that help through both family services and child protection services to make sure that their children are protected and safe.

Disability services have had \$92 million in additional funding, particularly focused around accommodation, respite and aids and equipment for families who are doing it tough. For people who are caring for family members with a disability and who for so many years under the former government were worried about what was going to happen to their adult children with a disability, we are investing in innovative respite and innovative supported accommodation and in further support for and expansion of the aids and equipment program.

I agree with the member for Cranbourne that it is important that we focus on families who are doing it tough. What we see is a very clear commitment from the Baillieu government to those vulnerable families in the electorate of the member for Cranbourne and across the whole of Victoria through a range of significant investments, but particularly in relation to the cost of living, which was his focus, and concessions, with more than \$400 million additional funding being invested. That was widely welcomed by groups such as the Victorian Council of Social Service, which is a strong advocate for exactly this client group.

I think an important message for the member for Cranbourne to take back to his electorate is that this government is absolutely committed to those families. It has put its money where its mouth is in relation to investing in things that make a real difference, and it is a significant contrast to what we saw under the previous government.

Mr DELAHUNTY (Minister for Sport and Recreation) — I want to respond first to the member for Evelyn on the matter she has raised with me on the adjournment tonight. As the member for Evelyn said, local sports clubs are important to our communities. As members all know, as Minister for Sport and Recreation I want to see more Victorians more active more often. The member highlighted that sports clubs are an integral part of the electorate of Evelyn. I was pleased to go out there a couple of times before the election, and I have also been out there a couple of times since, because the member for Evelyn is very passionate about the activities of sport and recreation in her area. Like I do, she wants to see people staying active and keeping fit.

I am pleased to say that we put forward \$340 000 at the last budget, as the member has highlighted, for direct investment in sporting facilities throughout the electorate of Evelyn. One such investment was \$100 000 to resurface the Lilydale Recreation Reserve. As the member said, this reserve was used during the bushfires, when it sustained a bit of damage, but a lot of activities are held there. Not only does the premier team play there now but there is also the work done with Reclink. It is pleasing to hear the member say the resurfacing has been completed and the grass is growing well, thanks to a bit of rain. Importantly, the redevelopment of the Lilydale Recreation Reserve was achieved through a great partnership with Yarra Ranges Shire Council and is the home of the Lilydale football and cricket clubs.

There was another project we went to look at, and I can still vividly remember the day we went to the Mount Evelyn Tennis Club and had a hit with the ladies. I am not sure who won that match; I cannot remember the details. There were a few foot-faulting ladies at the other end I think, who were serving a few bullets down to me. The main aim of this project was to increase the hours of use. We know there is limited space to provide recreation facilities, but it can be maximised with the provision of lighting. Through the strong representations of the member of Evelyn, I am pleased to say we were able to provide \$140 000 to this project. It is great to hear that it is also nearing completion.

I would be delighted to visit the Evelyn electorate to officially open the very important Lilydale Recreation Reserve and the Mount Evelyn Tennis Club. I know my office is working with the member to arrange a suitable date, and I look forward to doing that in the very near future.

Another adjournment matter was raised with me by the member for Kilsyth. We know he is a very passionate member and advocate for his electorate. He is very active; we do not have to worry about him. He lives up to the motto of being more active. The member spoke about some activities in his electorate and, as he highlighted in his presentation tonight, his is a diverse community. Like the member for Evelyn, he is doing a great deal of work in his electorate, and I commend him for the work that he does.

As we know, the coalition government has funded two very important projects in the Kilsyth electorate. Currently there is activity at the Barngeong Reserve and the Silcock Reserve where a master plan for the development of new clubrooms is under way. We have also committed to funding a brand-new netball facility at Pinks Reserve in Kilsyth. The member for Monbulk

seems to know a little bit about these facilities. We are delivering for the members in the Kilsyth area.

I just remembered too that the member for Kilsyth had the honour of flicking the switch for the new lights at the Mooroolbark Football Club at a veterans match, which unfortunately I was not able to get to. I am not sure if he played in that game.

Mr Hodgett — No.

Mr DELAHUNTY — He did not quite make it that day. He did not get selected. But the lights went on, and there is activity at the Mooroolbark Football Club.

The other project I am pleased the member for Kilsyth has also opened follows funding of \$40 000 for the table tennis facilities out there. Lighting and new equipment have been provided, and the people involved are extremely happy with what they have received through strong representations by the member for Kilsyth. Again I look forward to accepting the member's invitation to visit the Kilsyth electorate to inspect the progress of the projects committed to by the Victorian coalition government at the Barngaeong and Silcock reserves, and particularly the netball facility at Pinks Reserve. As the member has highlighted, local sporting clubs are important to our communities. I am keen to see, as the Minister for Sport and Recreation, more people more active more often.

Mr KOTSIRAS (Minister for Multicultural Affairs and Citizenship) — The member for Bendigo West raised a matter for the attention of the Minister for Local Government, and the action she sought was for the minister to intervene and convince the local Mount Alexander Shire Council to ensure that the Castlemaine Country Women's Association does not need to pay the \$2770 that the shire is demanding for the use of shire rooms. I will refer that matter to the minister for her attention and response.

The member for Geelong raised a matter for the attention of the Premier, and the action he sought was for the Premier to become involved in today's announcement by Alcoa that it will review its operations. He has requested that the Premier provide assistance to Alcoa and its employees. I will refer that matter to the Premier for his attention and direct response.

The ACTING SPEAKER (Mr Nardella) — Order! The house now stands adjourned.

House adjourned at 10.56 p.m.

