

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Tuesday, 24 May 2011

(Extract from book 7)

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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Legislative Council committees

Privileges Committee — Ms Darveniza, Mr D. M. Davis, Mr P. R. Davis, Mr Hall, Ms Lovell, Ms Pennicuik and Mr Scheffer.

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

Legislative Council standing committees

Economy and Infrastructure Legislation Committee — Mr Barber, Ms Broad, Mrs Coote, Mr Drum, Mr Finn, Ms Pulford, Mr Ramsay and Mr Somyurek.

Economy and Infrastructure References Committee — Mr Barber, Ms Broad, Mrs Coote, Mr Drum, Mr Finn, Ms Pulford, Mr Ramsay and Mr Somyurek.

Environment and Planning Legislation Committee — Mr Elsbury, Mrs Kronberg, Mr Ondarchie, Ms Pennicuik, Mrs Petrovich, Mrs Peulich, Mr Scheffer, Mr Tee and Ms Tierney.

Environment and Planning References Committee — Mr Elsbury, Mrs Kronberg, Mr Ondarchie, Ms Pennicuik, Mrs Peulich, Mr Scheffer, Mr Tee and Ms Tierney.

Legal and Social Issues Legislation Committee — Ms Crozier, Mr Elasmarr, Ms Hartland, Ms Mikakos, Mr O'Brien, Mr O'Donohue, Mrs Petrovich and Mr Viney.

Legal and Social Issues References Committee — Ms Crozier, Mr Elasmarr, Ms Hartland, Ms Mikakos, Mr O'Brien, Mr O'Donohue, Mrs Petrovich and Mr Viney.

Joint committees

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-SEVENTH PARLIAMENT — FIRST SESSION

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The Hon. W. A. LOVELL

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Mr J. LENDERS

Deputy Leader of the Opposition:

Mr G. JENNINGS

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The Hon. P. R. HALL

Deputy Leader of The Nationals:

Mr D. DRUM

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Coote, Mrs Andrea	Southern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	O'Brien, Mr David Roland Joseph	Western Victoria	Nats
Dalla-Riva, Hon. Richard Alex Gordon	Eastern Metropolitan	LP	O'Donohue, Mr Edward John	Eastern Victoria	LP
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Eideh, Mr Khalil M.	Western Metropolitan	ALP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Elasmr, Mr Nazih	Northern Metropolitan	ALP	Pulford, Ms Jaala Lee	Western Victoria	ALP
Elsbury, Mr Andrew Warren	Western Metropolitan	LP	Ramsay, Mr Simon	Western Victoria	LP
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Guy, Hon. Matthew Jason	Northern Metropolitan	LP	Scheffer, Mr Johan Emiel	Eastern Victoria	ALP
Hall, Hon. Peter Ronald	Eastern Victoria	Nats	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
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Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Tee, Mr Brian Lennox	Eastern Metropolitan	ALP
Koch, Mr David Frank	Western Victoria	LP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP

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Tuesday, 24 May 2011

The PRESIDENT (Hon. B. N. Atkinson) took the chair at 2.03 p.m. and read the prayer.

CONDOLENCES

Sergeant Brett Wood

The PRESIDENT — Order! It is with deep regret that I advise the Council of the death overnight of Sergeant Brett Wood, a Victorian serving as an Australian commando in Afghanistan. Sergeant Wood was killed in action, and a number of his fellow soldiers were wounded in the same incident.

I ask all honourable members to stand in silence for 1 minute in memory of this brave Australian and Victorian soldier.

Honourable members stood in their places.

ROYAL ASSENT

Message read advising royal assent to:

10 May

Country Fire Authority Amendment (Volunteer Charter) Act 2011

Education and Training Reform Amendment (School Safety) Act 2011

Justice Legislation Amendment Act 2011

Liquor Control Reform Amendment Act 2011

Multicultural Victoria Act 2011.

PROCEDURE COMMITTEE

Reference

The PRESIDENT — Order! There are two things I want to bring to the attention of members. The first is that I advise the Council that it is my intention to refer to the Procedure Committee a proposition that the President may elect to vote on matters before the house but is not mandated to vote on matters before the house. My thinking on this is that it is important to preserve the independence of the Chair to as great an extent as possible. My view is that in the current chamber it would not change the destiny of votes but it would have implications for the Chair and the perceived independence of the Chair. I am obviously not in a position to make a determination that way myself because under the current standing orders I am required

to vote as a mandated situation whenever I am in the chair, so I will simply refer that matter to the Procedure Committee for consideration as a proposition.

RULINGS BY THE CHAIR

Questions without notice: portfolio responsibilities

The PRESIDENT — Order! I also wish to bring the Council's attention to my ruling on or consideration of matters that were raised on the last sitting day. Members will recall that when the Council last met on 5 May I made a statement which attempted to provide some clarity and to assist members in framing questions and also ministers in answering them. Following that statement, Mr Lenders raised a point of order suggesting that the ruling seemed to narrow the obligations of a minister under standing order 8.01, which provides for a question to also be put to a Council minister when representing a minister from the Assembly.

As I indicated that I would consider the matter further, in now responding specifically to Mr Lenders's point of order, I am satisfied that my ruling simply clarified and did not narrow the ambit of questions which may be put to a Council minister representing a minister in the Assembly. In providing some further guidance for members, I reiterate my previous ruling that when a question is asked of a Council minister representing an Assembly minister it must be strictly within the Assembly minister's policy area and must relate to a matter of public administration. When I responded to a point of order raised by Mr Philip Davis following that raised by Mr Lenders, I indicated that in my view a matter of public administration would need to be a matter that impacts upon the role, responsibility and performance of the minister. It would not be a matter of general interest but a matter that impinges on the minister's responsibilities.

As always, whether or not a question asked of a minister representing a minister in the Assembly is in order and conforms to the provisions of the standing orders will be a matter for the Chair to determine.

QUESTIONS WITHOUT NOTICE

Playgroups: funding

Mr TARLAMIS (South Eastern Metropolitan) — My question without notice is to the Minister for

Children and Early Childhood Development. The minister's media release of 27 April 2008 stated that:

Playgroup helps to equip young children with socialisation skills that can be of enormous benefit and prepare them for life and their future education.

Labor agrees with this. That is why we committed \$6 million prior to the election for toy libraries and playgroups.

The PRESIDENT — Order! I remind Mr Tarlamis that question time is a time to put questions. I can understand the contexting of questions, but references to policies that are announced in an election campaign are not in order in a question because they are then inviting the minister to have a real whack in terms of policy matters, allowing the minister to go much further than I think Mr Tarlamis would intend in the question to which he is seeking a response. I ask that he do not persist with any further discussion of election policies.

Mr TARLAMIS — If the minister was such a keen supporter of playgroups in opposition, why has she committed only \$60 000 to one playgroup across the whole of Victoria?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — I welcome the question from the member because it gives me the opportunity to talk about the \$101 million that the government committed to early childhood development in this budget. We committed \$15 million towards a \$26 million infrastructure fund — the largest single investment in infrastructure in early childhood facilities in Victoria's history. We also committed around \$42 million to continue kindergarten fee relief for vulnerable children, something that the former government — Mr Tarlamis's government — was prepared to let lapse. It was not to be continued beyond this last budget period, and it was not in Labor's election commitments, so it was going to let vulnerable children miss out on a kindergarten experience because it was not going to continue to fund their fee relief.

Ms Mikakos — On a point of order, President, the minister is not addressing the question, which was specifically about toy libraries and playgroups in Victoria.

The PRESIDENT — Order! That is exactly the problem I had with the way the question was framed. As soon as a member asks about election policies, I am hobbled in terms of directing a minister to answer a specific question. Mr Tarlamis invited a broader discussion by the minister. The minister is actually talking about childhood services, which I think are

relevant, whilst not perhaps specific to the question Mr Tarlamis raised. Nonetheless, the minister still has time to discuss her answer further. Members would be aware that at the best of times I am not in a great position to direct a minister to answer; when questions are loosely framed it makes my job that much more difficult.

Hon. W. A. LOVELL — The Baillieu government committed \$10 million to expand the kindergarten inclusion support services to allow children with a disability to attend a kindergarten program. In the budget we committed money for the continuation of 150 early childhood intervention places and 150 early childhood intervention packages, which were allowed to lapse in the former government's forward estimates. We also committed money to continue to fund 700 kindergartens which were in cluster management, and to expand that service to allow another 160 kindergartens to access kindergarten cluster management. This is a great budget for early childhood services in this state.

Supplementary question

Mr TARLAMIS (South Eastern Metropolitan) — The \$60 000 the minister has committed to support the Doncaster Chinese family playgroup has been identified in the budget papers as a coalition election commitment. Why has the minister prioritised funding for groups on the basis of commitments by election candidates rather than on the basis of need?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — Most of our election commitments are based on needs, and the budget commitment will be based on need. We are opening a \$26 million early childhood infrastructure funding grant round. That will be based on need, and all Victorian communities can apply to that fund for support.

Planning: Footscray development

Mr FINN (Western Metropolitan) — My question is directed to the Minister for Planning. I ask: can the minister inform the house about any projects he has approved that will add to urban renewal in the Footscray area?

Hon. M. J. GUY (Minister for Planning) — I thank Mr Finn for another magnificent question — one from a member representing the western suburbs who lives in the western suburbs and is concerned about the future of the western suburbs. He will be very happy to know that this government has just approved an injection of \$90 million into the Footscray central

activities area — and a magnificent investment that is. The jobs that it will bring to the central Footscray area and the change in the central activities area that it will bring will lead to unprecedented growth for the central activities area of Footscray.

What we will see is urban change beginning where it should begin — within a defined activities area. What we will not see is a one-size-fits-all policy, a scattergun approach, development along a cul-de-sac, development in a small street or development somewhere else. This government is committed to urban renewal and large-scale urban change in areas that can accommodate growth. That is why my department has worked for a number of months to get this project together and to get \$90 million of investment for the Footscray central activities area, thereby showing that the Baillieu government is absolutely 100 per cent committed to getting on with the job of urban renewal, particularly in Melbourne's western suburbs.

It is incredible to think that just a few weeks ago there were people raising doubts about the Footscray central activities area. People were asking for money for the Footscray activities area. I noted in the *Star* newspaper of 17 May, which was not that long ago, that the member for Footscray in the Assembly — remember her? Marsha someone — said it is clear that Footscray is not on the mind — —

The PRESIDENT — Order! The reference to the member for Footscray was inappropriate. 'Marsha someone' is not the member's name. Ms Thomson has served this Parliament for a long period, and she and all members ought to be named properly if they are to be referred to in questions, answers or remarks before the Chair. Perhaps the member might like to start at the top with Ms Thomson's reference.

Hon. M. J. GUY — As with references, of course, to former members like Jeff Kennett.

Marsha Thomson, the member for Footscray, said it is clear that this activity centre is not on the mind of the new government because, 'There's no new money'.

I am pleased to announce that the Baillieu government has facilitated \$90 million of investment in Melbourne's growing Footscray activities area. My department has been meeting with the council regularly on this development. Such meetings go back as far as 28 October 2010, when the previous minister, Justin Madden, was in control of this portfolio. The council and the department were working on a 25-storey development that was being proposed under the

previous government. Dates including 30 November, 5 January, 18 January and 2 February were all occasions on which conversations were had with the department. For Mr Finn's information, some of those conversations even occurred in the Footscray activities area. They actually occurred in Footscray and were all around the location of the proposition for a 25-storey building.

It beggars belief that some people — like the mayor of Maribyrnong, who might be seeking Labor Party preselection for the seat of Footscray — would now come out and criticise a project for which they asked for more money just three weeks ago. They asked for more money just three weeks ago because this site was zoned a priority development on the recommendation of the mayor, who now says she knew nothing about it. If her competence is anything to go by, she will fit right in with the 'Dan the Man' opposition. Those in opposition cannot get a quorum, they have to speak with the lights off and the reality is that they are as incompetent as their future candidate for the seat of Footscray.

The PRESIDENT — Order! In the same vein I will not accept comments referring to the Leader of the Opposition as Dan the Man. I am not amused. I seek that that phrase be withdrawn and that Mr Andrews be given his correct title.

Hon. M. J. GUY — I withdraw, President. In the 4 seconds remaining, only the Liberals will bring urban renewal to Footscray.

Children: beauty pageants

Ms PULFORD (Western Victoria) — My question is to the Minister for Children and Early Childhood Development. I refer to the Universal Royalty beauty pageant and that organisation's decision to stage, for the first time in Australia, an American-style children's beauty pageant to be held in Melbourne in July. I ask the minister what the government's position is on the appropriateness of this style of contest.

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — I thank the member for her question. I note that last year there was also an American-style beauty pageant held in Victoria. It was called Little Miss Bayside. I note the Minister for Children and Early Childhood Development, Ms Morand, said at the time that she would never have entered her daughter in the pageant, but she resisted calls to ban them. The former government had 11 years to ban these pageants. If members opposite were so concerned about them, they should have banned them.

Like Ms Morand, I would never enter a child in one of those pageants, but I trust Victorian parents to make the right decisions for their children. I will, however, have my department keep a close eye on this pageant, and if any issues arise, we will refer them to the Victorian Children's Council.

Supplementary question

Ms PULFORD (Western Victoria) — I thank the minister for her answer, and I note from that answer that the government will not be taking any action to stop the pageant. I ask by way of a supplementary question: will the government take action to at least set an appropriate age limit for contestants?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — As I have indicated, we will monitor this pageant and see what issues arise from it. I note once again that the former government had 11 years to put in place the boundaries that members opposite are now calling for, and it did not.

Automotive industry: achievements

Mr RAMSAY (Western Victoria) — I rise to put a question without notice to the Minister for Manufacturing, Exports and Trade, Mr Dalla-Riva. I ask: can the minister update the house on the impact of difficult global conditions on the Victorian automotive sector?

Hon. R. A. DALLA-RIVA (Minister for Manufacturing, Exports and Trade) — I thank the member for his question, because it is a very important issue that we know exists in Victoria at the moment. We know Victoria is in fact the engine room of the Australian automotive industry, accounting for two-thirds of national automotive production. As members would be aware, Victoria is one of the few places where you can actually start from a blank piece of paper, and then develop through the design phase to the manufacturing phase and then onto the showroom floor. But we know there are challenges facing the automotive industry. We know about the high Australian dollar; we know about the challenges from the rising petrol prices. We know about the continuing challenges of the global financial crisis. And, disturbingly, we know about the impact of the cutbacks by the federal government in its assistance programs.

But what is exciting and what is important for this chamber to understand is that some of the challenges the auto sector has been facing have actually seen some turnaround. Only last week Ford Australia announced an after-tax profit of \$12.2 million. The local

manufacturers also grew their turnover from \$3.1 billion to \$3.3 billion. This strong result points towards further investment by Ford.

Unlike those opposite, who want to talk down manufacturing in the state, we are not about that. I was heartened to hear the CEO of Ford Australia, Mr Bob Graziano, announcing the sustainability initiative — a \$250 million initiative to deliver a four-cylinder engine to the Ford Falcon and also the diesel-run Ford Territory, which I am sure members opposite would like to support when they get their vehicles renewed. In addition, Ford is spending a further \$4 million on upgrading its casting plant in Geelong.

Honourable members interjecting.

Hon. R. A. DALLA-RIVA — I know it is disappointing that Ms Pulford and Ms Tierney want to talk down Geelong even though they are meant to represent it.

The manufacturing cast brake components are being developed out there for the tier 1 component manufacturer, and I think we should congratulate Ford on its continuing improvement under very difficult circumstances.

I am also very pleased to see that GM Holden announced only last month its best results in five years, returning to profitability with a total net profit of \$112 million, an increase in domestic sales and an increase in both vehicle and engine exports. Its sales were up 11 per cent, its exports rose 13 per cent and its engine exports, which are developed and built here in Victoria, were up 25 per cent. Consolidated revenue in 2010 was up \$600 million. That is a great result, and I think Holden needs to be congratulated.

Equally, Toyota, as we know, has been under enormous pressure, having been severely affected by the recent tragic impact of the tsunami and earthquake in Japan. Whilst we know it had ceased component and vehicle production in its home market, I am pleased to see that early next week it will be back in full production. It is a terrific outcome that I know those opposite hate to hear about. They hate to hear that an important industry in Victoria is actually on the way up. They are more interested in talking about the doom and gloom of failure and neglect.

We have also seen Nissan's casting plant engaging in the Leaf casting contract, which is a significant contract nationally. It also put on more than 100 workers.

As I said, let us not underestimate the challenges ahead for this industry. Let us have a supported industry, not

one that is continually driven down by the group over there.

Spotswood-Kingsville RSL: children's centre

Ms MIKAKOS (Northern Metropolitan) — My question is for the Minister for Children and Early Childhood Development. I refer the minister to a pre-election promise made by Williamstown Liberal candidate David McConnell that an incoming coalition government would match a \$1 million commitment made by the former Labor government to a children's centre at the Spotswood-Kingsville RSL. The centre is a partnership between the Western Bulldogs Football Club, RSL Victoria and its local sub-branch, and Hobsons Bay City Council. It would include community meeting rooms, a maternal and child health nurse, medical practitioners and teaching for profoundly deaf children. I ask: why has the minister broken this promise?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — I have a meeting with the Western Bulldogs in two weeks to discuss this issue.

Supplementary question

Ms MIKAKOS (Northern Metropolitan) — On a supplementary question, the minister's answer is particularly interesting in light of the fact that Mr Bernie Finn was quoted in the *Hobsons Bay Weekly* of 11 May as saying:

I've checked with Wendy Lovell's office ... they are unaware of that promise which would indicate to me that David made that promise without going through the proper processes. So that wasn't actually a promise from the party, that was a promise from David, which, well, I was unaware of until this afternoon —

as indeed was Wendy Lovell and the ministerial office —

... so I'm pretty sure that can't be considered a broken promise because we didn't actually know about it.

How can the minister's government have any credibility around honouring election commitments when her excuse is that she did not know what Liberal Party candidates were promising?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — As I said in my substantive answer, I have a meeting with the Western Bulldogs to discuss this issue.

Health: commonwealth-state agreement

Ms CROZIER (Southern Metropolitan) — My question is directed to the Minister for Health, Mr Davis. Can the minister inform the house of the current status of the implementation of the recent national partnership agreement between the commonwealth and Victoria, and does Victoria have any concerns about the implementation of this agreement?

Hon. D. M. DAVIS (Minister for Health) — I thank Ms Crozier for her question, and I am pleased to talk in this house about the arrangements between the commonwealth and the state. In the heads of agreement in February we agreed to a number of principles and laid down some steps that would be gone through to achieve a final agreement with the commonwealth on a range of matters in terms of national health arrangements. We are strongly committed to implementing those changes, we are strongly committed to implementing those reforms and we are strongly committed to greater transparency. We are strongly committed to more information for the community, and we are strongly committed to working with the commonwealth and other states in a collaborative and cooperative way.

But we do have some concerns about the way in which the commonwealth is proceeding. In particular, the National Health Reform Amendment (National Health Performance Authority) Bill 2011 was introduced into the commonwealth Parliament without discussion with the states. It was introduced without the collaborative approach that is inherent in the arrangements that were signed on to in the heads of agreement. We are hopeful that the commonwealth will begin that collaborative process in a much more robust way.

I note that states like Western Australia have made submissions to the Senate inquiry which is looking very closely at the national health performance authority bill. I have written to the federal minister laying out a number of concerns, but I want to make it very clear to the chamber that Victoria does not want to see a large amount of health money gobbled up in a great big bureaucracy in Canberra with additional people employed as bureaucrats who do not deliver health services.

The aim of the reform arrangements is to get better health services and more health services in Victoria, Western Australia, New South Wales and around the country. I know that a number of other state health ministers are equally concerned about large bureaucracies being built in Canberra — large

bureaucracies that do not necessarily deliver for the community. We want to see greater transparency in Victoria and in the performance of the commonwealth in delivering health care. We want to see that done without a big new bureaucracy being built in Canberra.

I make the point that in February, after the signing of the heads of agreement, the Prime Minister made many of the same points. In her press conference she was very clear about the need to minimise growth in bureaucracy, and that is an important principle. We do not want to build big bureaucracies and have bloated bureaucracies in Canberra; we want services delivered on the ground.

We are committed to working in collaboration with the commonwealth and the other states to ensure that services are delivered for patients on the ground in hospitals and health services across Victoria. That is the objective. The objective is not to build large bureaucracies in Canberra. We know what happens with these bureaucracies in Canberra. They become out of touch and unfocused, and they continue to grow. They do not get smaller; they get larger as time goes forward, and the larger they get the more health resources they consume. We need checks, balances and a commitment from the commonwealth not to build these bureaucracies that are intrusive and unfocused.

Health: commonwealth-state agreement

Mr JENNINGS (South Eastern Metropolitan) — My question is to the Minister for Health, and it relates to exactly the same matter. I note that this morning the minister was reported in the newspapers as questioning — if not being sceptical of or opposed to — the scrutiny of the commonwealth and the national frameworks for health, despite the fact that the commonwealth is contributing \$16.4 billion to national health reform. The minister was indicating that he was lining up to oppose the scrutiny and the governance arrangements associated with that deal. The president of the Australia Medical Association, Dr Andrew Pesce, questioned whether in fact Victoria had something to fear from that scrutiny. Is the real issue not that when the minister appeared before the Public Accounts and Estimates Committee he refused to say that all commonwealth money would be acquitted in his portfolio?

Hon. D. M. DAVIS (Minister for Health) — I am not sure that that was a question, but nonetheless in this circumstance I will make it very clear to the chamber, to you, President, and to the Victorian community that we want to see more transparency, both Victorian and commonwealth transparency, in the acquittal of

commonwealth money through a number of the key commonwealth schemes such as the pharmaceutical benefits scheme and the medical benefits schedule. We also want to see that the commonwealth is held to account for its commitments. These are important principles.

I want to make it absolutely clear to the community that we will make sure the money is delivered as health services and not bureaucracy in Canberra. We do not want more bureaucrats in Canberra; we want fewer bureaucrats in Canberra, and we want the money focused on a better outcome for the Victorian community. We want better health services in Victoria. We want better services for patients in Victoria. But we do not want more commonwealth bureaucracy.

Supplementary question

Mr JENNINGS (South Eastern Metropolitan) — The minister failed to confirm at the Public Accounts and Estimates Committee that all commonwealth money sent to Victoria for health flowed through and was acquitted within the Department of Health. He has balked at answering the question today. Can he clarify for the Parliament of Victoria whether all commonwealth money coming to Victoria which is earmarked for health will be transferred to the health department and acquitted in that department?

Hon. D. M. DAVIS (Minister for Health) — I want to make the point very clearly that the fact is that Victoria spends far more on health care. The lion's share of funding in Victoria is from state funds, not commonwealth funds. About 60 per cent of funding is actually Victorian funding, so the money that comes from the commonwealth is dwarfed by the Victorian contribution. We want to make sure that all the money — commonwealth and state — is spent on services for Victorians. That is the aim.

Housing: waiting list

Mr ONDARCHIE (Northern Metropolitan) — My question today is for the Minister for Housing, the Honourable Wendy Lovell — a very popular minister this afternoon — and I ask: can the minister advise the house how the coalition government's proactive response to vacancy management is having a real effect on housing Victoria's most vulnerable?

Hon. W. A. LOVELL (Minister for Housing) — I thank the member for his question and for his ongoing concern for social housing tenants in this state. Mr Ondarchie has a large public housing constituency in his electorate, and I know he is very concerned about

the people who are on the housing waiting list and how we are going to help them. The first thing we did on coming into government was to raise with the department the issue that had been raised with us by the community: the number of properties that were left vacant by the former government, properties that could have been occupied by families who instead were left languishing on the waiting list. The former government was prepared to leave those properties vacant, and when properties are left vacant they are vandalised, they are destroyed and they are not utilised for the purpose for which they should be used, which is helping vulnerable families.

We commissioned a vacancy audit, and its results led to a renewed focus on reducing the number of properties that were vacant and not being used. The Australian Institute of Health and Welfare identified that at June 2009 there were 2176 vacant dwellings in Victoria and that the number was even higher in June 2010, when there were more than 2400 vacant properties. By the end of March this year we had that down to 1464 properties; over 1000 properties have been made available to families who truly need them.

As well as the audit of vacant properties we have focused on letting hard-to-lease properties — these are properties that were left empty by the previous government, instead of it managing the waiting list — to see how they could be tenanted in other ways. The choice-based letting pilot I commissioned is having immediate effects. For example, we had one property in Omeo which had been vacant for 949 days; it now houses a tenant who was homeless and staying at the Bairnsdale hospital. A property in Lismore was vacant for 665 days. It now houses a couple who were homeless and who were staying at the local pub.

This proactive approach to managing the public housing waiting list rather than putting it in the too-hard basket is what is needed to assist vulnerable families in Victoria to be housed, rather than letting them languish on a waiting list as Labor was prepared to do.

Rail: regional link

Mr BARBER (Northern Metropolitan) — My question is to the Minister for Planning and is in relation to the regional rail link. As the minister knows, the approval of his predecessor, the former Minister for Planning, for this project was conditional on the provision of a number of environmental reports. Some of those reports had to be prepared in consultation with the Environment Protection Authority. They also had to be peer reviewed. The minister has confirmed this in previous answers to questions and in public statements.

It is surprising then to hear that the project is actually going to commence on 1 July and that the rail line is being shut down for the purposes of construction. Can the minister tell me if they are anticipating the minister's approval of these necessary plans, or are they simply defying the minister and commencing work anyway to back him into a corner?

Hon. M. J. GUY (Minister for Planning) — I thank Mr Barber for his question and ask him where were my congratulations for Chepstowe? The Greens might have begun their question by giving their congratulations to the government. I accept they might not have wanted to say something positive, but it would have been nice.

Mr Barber asks a fairly straightforward question. The issues in relation to the preplanning work for the regional rail link are being worked on at the moment, and that has been announced by the Minister for Public Transport. Obviously they will be in areas within the existing city network around the rail yards. Those issues concern an existing rail corridor, and that should be noted at this point.

Supplementary question

Mr BARBER (Northern Metropolitan) — The minister's predecessor's finding, or permit, on this matter was quite clear. When the relevant works commence — and I presume the minister is not arguing that these are preparatory works — a number of things have to be in place: a plan for the effects of construction and operational noise, for the effects on amenity and surrounding areas and for traffic disruption as a result of construction activities, and we know that will be occurring. Can the minister tell me if what is happening is that they are simply smurfing their project down into little bits so as to get it under the wire of the previous government's finding, or can we expect to see this material forthcoming before 1 July?

Hon. M. J. GUY (Minister for Planning) — They might be smurfing the project down so we can look at getting on with the project.

Honourable members interjecting.

Hon. M. J. GUY — Through you, President, I would never respond to a height joke. The key point is that we want to make sure this project, in the areas where construction or preparatory work can begin, is not delayed. This is an important project. I would have thought the Greens would welcome a multibillion-dollar rail project. Despite the lack of federal funding to bring the project along and advance the project in a timely manner, the state government has committed to regional rail and investigative studies on a

number of other areas to expand the interurban and urban rail network. We stand absolutely committed to those, as does our budget.

I imagine even those members opposite would be supportive of the regional rail link, irrespective of the timing and the lack of their federal colleagues coming on board with the money to bring this project to fruition. Whether it is a Labor project or a Liberal project, at the end of the day this is a project that will deliver an upgrade for passengers coming in from the western suburbs. I think that is very important. We all would acknowledge that the western growth corridor needs it.

Aviation industry: air traffic management

Mr O'BRIEN (Western Victoria) — My question is to the Minister responsible for the Aviation Industry, the Honourable Gordon Rich-Phillips. Can the minister advise the house of any developments in air traffic management for the state of Victoria?

Hon. G. K. RICH-PHILLIPS (Minister responsible for the Aviation Industry) — I thank Mr O'Brien for his question and for his ongoing interest in the aviation and aerospace sector in Victoria and for giving me the opportunity to talk about air traffic management. Air traffic management is one of the great unsung heroes of the aviation and aerospace sector here in Victoria. In relation to aviation and aerospace, we see news about airport infrastructure, news about airlines, about aircraft and about aerospace manufacturing, but what we do not see so much of is news about air traffic management, because typically it takes place in buildings buried from sight with lots of computer systems in them.

However, it is an incredibly important aspect of the aviation and aerospace sector. It is so important because it is the air traffic management systems that ensure that our aircraft get where they are supposed to go and get there when they are supposed to get there without colliding. They ensure that we have a reliable air transport system.

Air traffic management is one of the great success stories of the Victorian aviation and aerospace sector, and last week I had the great pleasure of visiting the Thales Australia Air Operations facility at the World Trade Centre to officially open the Centre for Advanced Studies in Air Traffic Management, or CASIA, which is a fantastic investment in the aviation and aerospace sector in Victoria. The centre is designed to develop the next generation of air traffic management systems and technologies for the world

market. It increases the dedicated capacity in military air traffic management and network-centric mission critical systems. It establishes a software testing and safety facility for mission critical software, and it provides product demonstration, training and system awareness for air traffic management systems throughout the world.

Thales Australia has been one of the great success stories in air traffic management throughout the Asia-Pacific and African regions and across Australia, providing air traffic services to the Australian operator Air Services Australia.

The facility at the World Trade Centre has been the generator of substantial export opportunities for Victoria. More than \$200 million in export sales into Singapore, the Netherlands and the United States was achieved in 2009, and we have seen further export sales into the Asia-Pacific region. Indeed a recent sale to the Philippines was the basis on which the CASIA facility at the World Trade Centre was used for the first time operationally. It was used to demonstrate to Philippine officials — whom I was able to meet at the opening last week — the centre's capabilities and options for the rollout of air traffic management services into their jurisdiction. The centre is already operating as a great tool in promoting the sale of air traffic management services throughout the region, and indeed it is expected to contribute more than \$1 billion towards export sales.

Thales is a major operator for Victoria not only in the aerospace sector but also in the defence sector. I know that my colleague Mr Dalla-Riva, the Minister for Manufacturing, Exports and Trade, has worked closely with Thales in terms of its operations in Bendigo and Benalla in relation to the Bushmaster project, and the Victorian government looks forward to having an ongoing and productive relationship with Thales, both in defence and in aerospace into the future.

QUESTIONS ON NOTICE

Answers

Hon. D. M. DAVIS (Minister for Health) — I have answers to the following questions on notice: 215 and 496–583.

Hon. M. P. PAKULA (Western Metropolitan) — I hesitate to raise this again, President, because I have raised it on a number of occasions. I have a number of questions on notice outstanding since 1 March: 108, 109, 112 and 114–116. The Leader of the Government has given me an undertaking on a couple of occasions

now saying that those answers are not far away, so I just ask for his response.

Hon. D. M. DAVIS (Minister for Health) — We have 89 answers to questions on notice today and more are to follow, and indeed I have followed up those questions for Mr Pakula. I am sure that they are — —

Hon. M. P. Pakula — Ineffectually.

Hon. D. M. DAVIS — I make the point that as at 31 October 2010 one question here had been received on 23 May 2007. I have to say we are a long way ahead of where the then government, the now opposition, was at that time. Members should look at the size of that list of non-answered questions; it is extraordinary. The cheek of the opposition! We are endeavouring to make sure that questions are answered. We are not always perfect — I accept that — but we have done pretty well, and we are responding in a timely way, unlike the previous government. One question on notice sat on the notice paper for three years.

Mr BARBER (Northern Metropolitan) — In relation to the same two questions on notice that I raised with the Leader of the Government last week, we have followed up with both the ministers' offices, and they tell us that the questions are now actually with the Premier's office. Therefore I ask the Leader of the Government to pursue them from this point on.

Hon. D. M. DAVIS (Minister for Health) — As I indicated, I am endeavouring to pursue each and every question. I understand that they are on the way, and I advise Mr Barber that I am quite sincere about that. I think he understands that I am trying to get them.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Review 2010

Mr O'DONOHUE (Eastern Victoria) presented report, including appendices.

Laid on table.

Ordered to be printed.

Alert Digest No. 5

Mr O'DONOHUE (Eastern Victoria) presented *Alert Digest No. 5* of 2011, including appendices.

Laid on table.

Ordered to be printed.

PAPERS

Laid on table by Clerk:

Auditor-General's Office — Annual Plan, 2011–12.

Crown Land (Reserves) Act 1978 — Minister's Order of 13 April 2011 giving approval to the granting of a licence at Mayors Park Reserve.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes:

Bass Coast Planning Scheme — Amendment C119.

Boroondara Planning Scheme — Amendment C118.

Brimbank Planning Scheme — Amendment C117.

Campaspe Planning Scheme — Amendments C78 and C83.

Colac Otway Planning Scheme — Amendment C63.

Darebin Planning Scheme — Amendment C106.

Glen Eira Planning Scheme — Amendments C64 and C76.

Greater Dandenong Planning Scheme — Amendments C135 and C136.

Hobsons Bay Planning Scheme — Amendment C78.

Horsham Planning Scheme — Amendment C47.

Latrobe Planning Scheme — Amendment C56.

Macedon Planning Scheme — Amendment C69 Part 1.

Maribymong Planning Scheme — Amendment C63.

Moira Planning Scheme — Amendment C67.

Monash Planning Scheme — Amendment C102.

Nillumbik Planning Scheme — Amendments C62 and C68.

Wodonga Planning Scheme — Amendment C84.

Yarra Ranges Planning Scheme — Amendment C95.

Statutory Rules under the following Acts of Parliament:

Evidence (Miscellaneous Provisions) Act 1958 — No. 28.

Subordinate Legislation Act 1994 — No. 27.

Supreme Court Act 1986 — No. 26.

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule Nos. 16 and 19.

Victorian Environmental Assessment Council — Final Report on Remnant Native Vegetation Investigation, March 2011.

Proclamations of the Governor in Council fixing operative dates in respect of the following acts:

Regional Growth Fund Act 2011 — 1 June 2011 (*Gazette No. S150, 17 May 2011*).

Water Amendment (Victorian Environmental Water Holder) Act 2010 — Remaining provisions — 1 July 2011 (*Gazette No. S141, 3 May 2011*).

PRODUCTION OF DOCUMENTS

The Clerk — I have received a letter dated 23 May from the Minister for Energy and Resources, headed ‘Legislative Council order to produce documents — advanced metering’.

Letter at page 64

Ordered that letter be considered next day on motion of Mr BARBER (Northern Metropolitan).

Hon. M. P. Pakula — On a point of order, President, about the answers I have received to questions on notice, I seek your guidance as to when the appropriate time would be to raise the issue.

The PRESIDENT — Order! It was about 10 minutes ago. By leave I will entertain your query now.

Leave refused.

STATEMENTS ON REPORTS AND PAPERS

Notices

Notices given.

Mrs Peulich having given notice:

The PRESIDENT — Order! Mrs Peulich already has a report on the notice paper. Which one does she wish to pursue?

Mrs PEULICH (South Eastern Metropolitan) — The one I have given notice of today.

The PRESIDENT — Order! Is Mrs Peulich withdrawing the report that is currently on the notice paper?

Mrs PEULICH — Yes.

Further notices given.

BUSINESS OF THE HOUSE

General business

Mr LENDERS (Southern Metropolitan) — By leave, I move:

That precedence be given to the following general business on Wednesday, 25 May 2011:

- (1) notice of motion 81 standing in the name of Mr Lenders relating to the referral of a matter to the Privileges Committee;
- (2) notice of motion 77 standing in the name of Mr Barber relating to the production of carbon capture and storage flagships program documents;
- (3) a notice of motion given this day by Ms Pennicuik to take note of alpine grazing documents;
- (4) the notice of motion given this day by Mr Tee relating to the revocation of Glenelg planning scheme amendment C60;
- (5) notice of motion 76 standing in the name of Mr Barber relating to the review of the premium solar feed-in tariff scheme;
- (6) the notice of motion given this day by Mr Pakula relating to the production of the Vincent report into the operations of the Office of Public Prosecutions;
- (7) order of the day 9, relating to metropolitan train timetable documents; and
- (8) the notice of motion given this day by Ms Pennicuik relating to production of Australian grand prix documents.

Motion agreed to.

MEMBERS STATEMENTS

Aboriginals: traditional owner acknowledgement

Mr SCHEFFER (Eastern Victoria) — The Premier’s announcement that ministers and other MPs should not feel obliged to make formal acknowledgement of traditional owners on official occasions has been rightly condemned by many Aboriginal and non-Aboriginal citizens. I take this opportunity to express my dismay and disappointment that the Premier and his government have so calculatedly and unnecessarily hurt many Aboriginal Victorians. The government has said that its representatives at official events can now feel free to decide for themselves when to make an acknowledgement and that this makes the observance more genuine. The fact is that acknowledging

Aboriginal traditional owners at public events has never been mandatory and should always be observed with good heart and genuine fellow feeling.

Every day we pay respect through many formal observances: kneeling at an altar, genuflecting, swearing on the bible, taking an affirmation, standing for the national anthem, saluting a flag, falling silent at the Last Post, removing our shoes, covering our heads, reciting a Christian prayer each morning in this chamber and even a simple handshake when a deal is done. Acknowledging the special history of Aboriginal Victorians at official events confers respect and dignity on Aboriginal and non-Aboriginal people. I understand that for some making the acknowledgement can at first be confronting and awkward because it is a reminder of our often-troubled past, but if we persevere with good heart, we find the right way to speak.

The Premier has brought no credit to himself or his government. The announcement is designed to confuse, because it says an acknowledgement should be genuine while at the same time it diminishes its significance. This is unashamed dog whistling.

Barry Connolly

Hon. W. A. LOVELL (Minister for Housing) — I rise to pay tribute to the life of Barry Connolly, who passed away on Friday, 6 May. Barry was an icon of the Shepparton community who was respected for his contribution to football at many levels. As a player Barry began his career as the youngest player ever to play in the Ovens and Murray Football League with the Benalla Saints at the age of 15. Barry went on to play in the Victorian Football League with Footscray, as a team mate of his good friend, Ted Whitten. Barry's playing and coaching career was to span 403 senior matches at Footscray, Shepparton United, Benalla, Nathalia, Waaia, Ardlethan and Invergordon.

To all those who knew and loved him, Barry was more than just a footballer and coach; he was a mentor and friend. In particular he was a devoted husband and father. I extend my sincere condolences to his wife, Monica; his family and their partners, Chris, Jenny, Shane, Jo, Penny, Peter and Stephen; and his beloved grandchildren, Michael, Emma, Jade, Zane, Aiden, Annaliese, Jack, Aleks, Lachie, Brylee and Ryan. We will miss you, Barry.

Portarlington Primary School: funding

Ms TIERNEY (Western Victoria) — Many in this chamber know of the critical role that well-resourced schools, particularly those in smaller communities, play

in the general health and wellbeing of a community. Portarlington Primary School is very much the heart, the soul and the future of Portarlington. It has a good number of enrolments, great teachers, a caring and driven principal, committed and engaged parents, and great kids. What it does not have is the \$60 000 it needs for the schematic stage. The school has completed the master plan phase, and a high level of work and consultation has already been undertaken.

There was shock and real disappointment in the community when the Baillieu government's first budget had nothing in it for them, whereas Labor had promised \$6 million for the redevelopment of the school. I take this opportunity to remind the government that the Portarlington community is only too well aware that if the money is not in the next budget, then it brings the project to an indefinite halt. The stepping stones for school funding require an allocation in sequential state budgets. Failure for this to occur will stop the redevelopment.

The school and the community understand the perilous position they have been put in by this government, and I call on the minister to do what is the only proper thing to do — that is, to commit further funding for this terrific school.

Cardinia Combined Churches Caring: centre opening

Mr O'DONOHUE (Eastern Victoria) — On 12 April I was pleased to be able to join the Deputy Premier, the member for Gippsland South in the other place, Peter Ryan; the member for Bass in the other place, Ken Smith; and the member for Gembrook in the other place, Brad Battin, at the official opening of the new home for Cardinia Combined Churches Caring in Pakenham, known as 4Cs.

4Cs is a critical emergency support centre that provides a range of services to people in need in the Cardinia shire region. Its services range from food provision to crisis accommodation, financial counselling and referral. The 4Cs had been operating out of cramped, small premises in Main Street, Pakenham, for 14 years, while the demand for its services continued to grow. Between 2008 and 2009 the number of people who received help from 4Cs grew by a staggering 70 per cent.

In early 2009 a dedicated team began its campaign to relocate 4Cs to a more spacious home. The response from the community was remarkable, with businesses and individuals from across the community donating

anything from money to materials. After two years of hard work, 4Cs moved into its new home.

As the demand for emergency relief grows statewide, it is of comfort to know that wonderful organisations such as 4Cs are established in the community and ready to provide assistance to people facing hardship. It is also a great reflection on the broader Cardinia community and its concern to assist people who need a hand. I pay special tribute to 4Cs manager, the tireless Jeni Mathieson; fundraising coordinator, the amazing Jack Mitchell; construction coordinator, Dan Veith; Pastor Don Press; and the team of volunteers for their tireless work on this critical community project.

Social and community services: wages

Ms PULFORD (Western Victoria) — On 16 May Fair Work Australia handed down the equal value pay case judgement. The tribunal found:

... we have concluded that for employees in the SACS industry there is not equal remuneration for men and women workers for work of equal or comparable value by comparison with workers in state and local government employment. We consider gender has been important in creating the gap between pay in the SACS industry and pay in comparable state and local government employment. And, in order to give effect to the equal remuneration provisions, the proper approach is to attempt to identify the extent to which gender has inhibited wages growth in the SACS industry and to mould a remedy which addresses that situation.

This is the most significant women's pay decision in nearly 40 years, since the concept of 'equal pay for work of equal value' was adopted. Thanks to our federal Labor government, unions are no longer required to prove discrimination as a prerequisite to pursuing a pay equality claim. The equal remuneration provisions in the Fair Work (Commonwealth Powers) Act 2009 have been expanded to also include work of comparable value. Fair Work Australia ruled that unions had established that the caring work of the social and community services sector employees was undervalued when compared to state and local government workers who perform similar work.

This is a significant victory for a predominantly female workforce that provides an invaluable service to, often, our most vulnerable community members. It disappoints me to hear that the Victorian government has stepped back from its election promise to fully fund a wage increase for community sector workers. The Minister for Community Services Mary Wooldridge now says she cannot commit before the costs are known.

Bob Dylan

Ms PULFORD — On another matter: happy birthday, Bob Dylan. Thanks for the music.

Clearways: city of Stonnington

Ms CROZIER (Southern Metropolitan) — Recently I attended the launch of a marketing campaign titled 'What I love about Stonnington' by the City of Stonnington to promote Stonnington's key business precincts. Attended by traders and various business associations, the launch highlighted the diversity of the six business precincts within Stonnington. It was also an opportunity for the council to give a snapshot of economic data affecting the precincts and to announce the results of a recent economic impact study commissioned by the City of Stonnington on clearways in High Street, Armadale.

The following are just some of the findings from that impact study. Of the 50 retail-based businesses in High Street that took part in the research, 88 per cent reported that sales in autumn, winter and spring 2010 had declined compared to the same time in the previous year. All businesses cited some degree of loss of business and felt that consumer confusion about clearway extensions and loss of parking due to clearways were behind the loss of business. Among those 50 traders who were sampled there was the economic impact of a loss of \$2.96 million for the nine months. If this was replicated throughout the extended clearway zones, the economic impact would have been significantly more. For the shopping strip of High Street between Glenferrie Road and Chapel Street it is estimated that the loss for the nine months alone would have been in the vicinity of \$25 million.

The extended clearways policy of the previous Labor government was a flawed policy and detrimental to business and consumers. The issue, first raised by my colleague Andrea Coote, highlighted the community's concerns. Many people who had businesses and knew their livelihoods were threatened took action and spoke out on the policy. I commend them for taking that action and the council for supporting them.

Preston Greek Senior Citizens Club: Greek Easter

Mr ELASMAR (Northern Metropolitan) — I was invited to attend Greek Easter celebrations on Thursday, 28 April, by the Preston Greek Senior Citizens Club. Festivities were held in a local community hall. I was warmly welcomed by the President, Mr John Skenderis, and the committee

members, who hosted a wonderful lunch with music and dancing. I congratulate the ladies auxillary for their delicious efforts on this occasion.

City of Banyule: delivered meals centre

Mr ELASMAR — On another matter, on Thursday, 28 April, along with parliamentary colleagues and Banyule councillors and officers, I attended the opening of the redeveloped delivered meals centre in Banyule, which was officially opened by the mayor, Peter McKenna. This centre will deliver improved meals to older residents and people with disabilities. I wish them all bon appetit.

Cyprus: photographic exhibition

Mr ELASMAR — On the evening of Thursday, 28 April, I also attended, together with federal and Victorian state Parliamentary colleagues, the launch of the exhibition of the history and culture of Cyprus, which was organised by the Justice for Cyprus coordinating committee. Schools were invited to bring their students to view this photographic exhibition, and I congratulate the committee.

Bob Davis

Mr RAMSAY (Western Victoria) — I rise to pay respect to a football legend who is being buried in Geelong this afternoon. Bobby Davis was born on 12 June 1928 in Ballarat, and he died last week aged 82. He was a legend of the game, passionate and tough, but always fair. He was a true gentleman of the game of football. He sold my sister her first car with his typical flair of salesmanship and humour. He had an air of honesty that made it a pleasure for her to put her trust in him. When you think Geelong and the Geelong Football Club you think Polly Farmer, Billy Goggin, Doug Wade and Gary Ablett. You also think of Bobby Davis.

Bobby's family, including parents Les and Essie, moved from Ballarat to Clunes when he was 10 years old. He grew up in Clunes, the son of a barber, and the family barbershop was in Fraser Street, Clunes. He went to school at Clunes Primary School in the early 1940s, played for Clunes Football Club and boarded at Ballarat College.

He was recruited to the Golden Point Football Club and played for one year, 1947, when Golden Point beat West Geelong to win the premiership. In 2006 he was named one of the Greats of Golden Point. It was enough for Geelong, which recruited him in 1948. He played 189 games for Geelong Football Club from

1948 to 1958 — a decade of challenge and triumph. He played in the 1951 and 1952 premierships teams, and coached Geelong from 1960 to 1965 and to premiership in 1963.

Bobby Davis's honours included winning the 1957 Geelong best and fairest prize. He was one of the first on-screen television personalities, appearing on Wide World of Sport with Lou Richards and Jack Dyer. He was truly inspirational.

Desmond Benson

Ms PENNICUIK (Southern Metropolitan) — I wish to pay tribute today to Dr Desmond Benson, who recently lost his life prematurely to cancer. Des was an active Greens member, both with his local Boroondara branch and at a state level, serving on the state executive.

In 2008 Des contested the Boroondara council election in Studley ward, where he was runner-up. In the 2010 federal election he stood as the Greens candidate in Kooyong. His candidature was supported by fellow Greens and a wide circle of friends, family and business acquaintances. Des ran an energetic and inspiring campaign, and few people knew that he was not well at the time. He was determined to run a great campaign for the Greens, and he did, gaining over 18 per cent of the primary vote — a swing to the Greens of 6.6 per cent. Des also stood with me on the Southern Metropolitan Region ticket at the last state election, despite his ill health.

Des loved, and was much loved in, the community where he grew up and where he brought up his children. His humble, friendly and fun-loving approach to life was accompanied by a bright intellect. He had a doctorate of philosophy in engineering mathematics from Oxford. He loved to talk about mathematics.

Des founded and was CEO of a successful business strategy consultancy. He was generous in sharing his skills and experiences, not only with the Greens but also in the recent past with Care Connect, a not-for-profit disability support organisation.

I extend my condolences to his wife, Robyn, and their children, Max, Eleanor and Frank. Des will be sadly missed by his friends and family, and everyone who knew him.

Battle of Greece and Crete: 70th anniversary

Ms MIKAKOS (Northern Metropolitan) — This month marks the 70th anniversary of the battle of Greece and Crete, a significant battle during the Second

World War and one that forever links Australia with Greece. At great cost the Greek people fought valiantly for their freedom, and half a million Greeks lost their lives. I am proud that my grandfathers fought to ensure that Greece successfully resisted the Italian fascists. The Greeks were supported by the Australian, New Zealand and British allies. However, the Greek mainland was ultimately occupied by the invading Nazi Germans, who then proceeded to invade the beautiful island of Crete through the largest paratrooper invasion of the Second World War.

Defending the mainland of Greece, 320 Australians were killed, 494 were wounded and more than 2000 were taken prisoner. Crete was defended by around 6500 servicemen from Australia, who fought alongside New Zealand, British and Greek troops. Some 274 Australian soldiers lost their lives during the battle of Crete, 507 were wounded and more than 3000 were captured and spent the rest of the war as prisoners of war. During the four-year occupation the Cretan people risked their own lives to protect and shelter the Anzac troops, who tried desperately to evade capture. This battle helped delay Nazi Germany's invasion of the Soviet Union, a crucial factor in its eventual defeat.

I wish to congratulate the Cretan Federation of Australia and New Zealand and other local organisations which organised a number of recent events to commemorate this significant anniversary. I note also that six Australian Second World War veterans who served in Greece and Crete visited Greece last week with a number of parliamentarians to commemorate this historic occasion. We owe a sincere debt of gratitude to all the Australian veterans who served in Greece and Crete. We will forever remember them.

Linden Centre for Contemporary Arts

Mrs COOTE (Southern Metropolitan) — Recently I had the honour of representing the Minister for the Arts and Premier, Ted Baillieu, at the opening of a fabulous installation and exhibition at the prominent Linden contemporary art gallery in Southern Metropolitan Region in Acland Street, St Kilda. This not-for-profit organisation is a hallmark of the St Kilda area and continues to have some excellent programs and exhibitions. Indeed it is a central part of the arts sector within the city of Port Phillip. The centre creates opportunities for artists to present new, innovative and uncompromising art in a professional and accessible environment through its innovators program. It has dedicated an annual exhibition to contemporary indigenous art practice, and it holds an annual

open-entry competition in the postcard show every year. The centre is truly to be commended.

Therefore it was with great pleasure that I saw in the recent budget that the Linden contemporary art gallery will continue to be funded, with \$75 000 in this budget, which is a recognition by the Minister for the Arts and Premier of the importance of the work that is done at Linden. Everyone associated with the Linden gallery is to be commended.

Princes Freeway, Morwell: closure

Mr VINEY (Eastern Victoria) — Sadly, the saga of the closure of the Morwell freeway continues. It has now been almost five months since its closure. Interestingly, in this week's edition of the *Latrobe Valley Express* there is a letter from Mr Tom Quinn, an active member of the Liberal Party in Morwell, who wrote in his opening remarks:

... the panic-driven and needlessly prolonged closure of the Princes Freeway at Morwell would be hilariously comical if it was not so ineptly and embarrassingly real.

In a letter to the editor slamming the inept actions of the Minister for Roads, Mr Mulder, and the Baillieu government, he goes on to say:

Consider roads minister Terry Mulder's incredulous response to the incident, rushing to the scene some 40 car accidents and 63 days after it was declared.

He concluded his letter by saying:

The Morwell bypass has served motorists of Gippsland-Latrobe Valley brilliantly for almost 20 years and should be reopened without further delay.

I agree with that, but interestingly there is no assurance from the Deputy Premier, Mr Ryan, in an article in exactly the same edition, in which despite saying that money is an issue he admits that no money has been allocated in this budget.

Education Week

Mrs PEULICH (South Eastern Metropolitan) — Last week Victoria celebrated Education Week, which gives an opportunity for schools to showcase what they do very well. Whilst many schools do that all year round, it is an opportunity for many members of Parliament and other key members of the community to visit, forge close relationships and see what teachers, school leadership teams and students are involved in. To kick it off we had the 2011 Victorian Education Excellence Awards 2011 on Friday, 13 May, which I had the pleasure of attending with the three ministers I work with — the Honourable Peter Hall, the

Honourable Martin Dixon and the Honourable Wendy Lovell — and at which various awards were given out. I would like to make special mention of those who were recipients in my electorate of South Eastern Metropolitan Region.

The awards recognise the innovative, passionate individuals and teams who take the extra steps needed to make our schools exceptional places to learn. With that in mind I would like to recognise Tony Bryant, principal of Silverton Primary School, and congratulate him on receiving the Outstanding School Leadership award. I would like to recognise Carrum Downs Secondary College on receiving the Pathways and Transitions award and Huntingdale Primary School on receiving the Curriculum Innovation award. I would like to recognise Bronwyn Minihan of Hampton Park Primary School on receiving the mecu Outstanding Business Manager award. It is also very pleasing to note that the south-east did so well. As a former teacher, I see the job that they do as exceptionally important to the welfare of this state.

National Volunteer Week

Mr TARLAMIS (South Eastern Metropolitan) — I would like to talk about National Volunteer Week, which was recently celebrated across Australia. This celebration is an opportunity for everyone to recognise the contribution made by 5.4 million Australian volunteers who freely give up their time to support and assist their community in many different ways. These volunteers contribute more than 700 million hours of community service to many areas of our society. Volunteering comes in many forms, from the local junior football club to the pink ladies, who add to the quality of health care by helping to support patients, clients, their families, staff, visitors and the community. No-one could forget the contribution made by the Country Fire Authority volunteers during the tragic 2009 Black Saturday bushfires or the assistance provided during the recent floods.

I encourage all those who do not currently volunteer in their local communities to consider doing so, and I would like to take this opportunity to recognise and put on the record my sincere thanks to the 5.4 million people who so generously volunteer in Australia each year.

Education Week

Mr TARLAMIS — On another matter, one on which Mrs Peulich has just spoken, last week was Education Week — a week to celebrate and recognise the creative, innovative and excellent work being

undertaken in government schools and kindergartens. This year Education Week coincided with National Families Week, providing an opportunity to highlight the important role that parents and carers play in a child's learning journey. It is an opportunity for students, teachers, parents and volunteers to celebrate and promote their achievements and open their doors to the wider community.

Schools right across Victoria coordinate a range of activities, such as morning teas, open days, performances, games and activities, and family projects to showcase the abilities of their students. I take this opportunity to commend government schools and kindergartens and all those associated with them for their hard work, dedication and commitment.

VICTORIA LAW FOUNDATION AMENDMENT BILL 2011

Second reading

Debate resumed from 24 March; motion of Hon. R. A. DALLA-RIVA (Minister for Employment and Industrial Relations).

Hon. M. P. PAKULA (Western Metropolitan) — It gives me pleasure to rise to speak on this bill and to indicate that the opposition will not be opposing it. This is a fairly straightforward bill, so it will not require me to speak for an inordinately long period of time, for which I am sure all members will be grateful. I think it is important just to remind the house of a bit of the history of the Victoria Law Foundation (VLF). The need for a Victorian law foundation was first recognised back in the 1960s by former presidents of the Law Institute of Victoria Tom Molomby and John Cain, who was later to become the Premier of Victoria. They both noted that there was a significant disposable surplus that came from the interest on solicitors trust accounts, and they took the view that that could be put to a good use.

The foundation is described on its own website as an independent non-profit community benefit organisation providing legal information through grants, publications, programs and events. It is an organisation which is very well run by Joh Kirby and the other staff of the foundation. It is very well chaired by Justice Philip Cummins, and it does important work.

The board of VLF, which is in effect the main subject of this bill, is now appointed under section 7 of the Victoria Law Foundation Act 2009. It consists of a total of between six and eight appointees, of whom four

must be lawyers, and appointments are for three years. There are four board members on the foundation who are appointed by the Attorney-General on the nomination, firstly, of the Chief Justice of the Supreme Court and secondly, of the Law Institute of Victoria, the Victorian Bar and the Federation of Community Legal Centres. That is four of the appointees. There are up to four Attorney-General appointees on the board as well, of which three positions are currently filled.

The most significant effect of this bill is to reduce the number of Attorney-General nominees to the VLF from a maximum of four to two. It reduces the number of members required to form a quorum from four to three and provides that the chair of the foundation shall be the Chief Justice of the Supreme Court or that person's nominee, who shall not be subject to ministerial appointment or removal.

I have had it confirmed in a briefing by the department that the terms of the members of the board as currently constituted will not be affected, and there are transitional provisions in clause 8 which preserve existing governance and quorum arrangements until the expiry of the appointments of the current board members.

I want to make two points about this bill and some of the rhetoric that surrounds it. Firstly, if members go to the second-reading speech, they will find that the Attorney-General makes the claim that the bill also restores the Chief Justice of the Supreme Court, or nominee, as chairperson of the foundation. In fact the bill does no such thing. The Chief Justice of the Supreme Court or nominee is already the chairperson of the foundation and must be the chairperson of the foundation. If members go to the foundation's own website, which describes the situation as it exists now, they will find that it says, 'The nominee of the chief justice is the chair of the foundation'.

In effect the only change that this bill makes to the position of chair and the position of the chief justice's nominee is that it is now a direct nomination by the chief justice rather than the chief justice nominating an individual to the Attorney-General and the Attorney-General then acting on that nomination. Right now it is mandated under the current act that the nominee of the chief justice must be the chair.

Hon. R. A. Dalla-Riva — Through the Attorney-General.

Hon. M. P. PAKULA — Through the Attorney-General; that is correct.

Hon. R. A. Dalla-Riva — That is still controlling.

Hon. M. P. PAKULA — No, the chief justice nominates their nomination, and that person must be the chair of the foundation. The claim in the second-reading speech, which I will repeat for the minister, that the bill 'restores the chief justice ... as chairperson' is not correct. The chief justice's nominee is already the chairperson and must be the chairperson under the act as it is currently written.

Hon. R. A. Dalla-Riva — Only after he has had the tick-off from the Attorney-General.

Hon. M. P. PAKULA — Nevertheless, Minister, I suppose I am commenting on what I consider to be somewhat overblown rhetoric in the second-reading speech, which suggests that at the moment someone other than the nominee of the chief justice could be the chairperson. The fact is that no-one other than the nominee of the chief justice could be the chairperson right now.

Another point I want to make goes back to some of the rhetoric around the Attorney-General's nominees, particularly the rhetoric that the then shadow Attorney-General, now Attorney-General, used the last time this legislation was debated back in 2009. As those members who were here in the last term might recall, there was some spirited debate about this bill. There were amendments moved about the number of Attorney-General nominees, which were carried with the support of the coalition and the Greens. What we finally ended up with was a 4-4 board, with four members nominated by the Attorney-General and four members appointed on the nomination of other bodies. At the time the shadow Attorney-General, Mr Clark, put out a media release describing the then Attorney-General's nominees as 'Labor cronies' and 'political flunkies'. Mr Clark said:

Fortunately the coalition, with support from the minor parties, has ensured that a majority of votes on the board will be cast by members independent of the Brumby government.

Let me simply make two points about that. Firstly, there are a number of people serving on the board right now who were appointed by the previous Attorney-General and who I have no doubt would be grossly offended by the suggestion that they were or have acted in any way as cronies or flunkies or that their votes are being controlled by either the previous government or the current government. Those people have served the Victoria Law Foundation board with distinction. They are not flunkies. They are not cronies. They have made their own decisions and cast their votes on that board when required and according to their own views and consciences. When claims like that are made I think we

need to be a bit more mindful of the qualities and abilities that people bring to organisations such as this.

Secondly, let me make this point: even though this bill changes the number of appointments by the Attorney-General from up to four — as I have said, it is currently three — down to two, the fact is that the Attorney-General will still appoint two out of six individuals to this board. I wonder whether the Attorney-General would accept the proposition that anyone he appoints is a Liberal crony or a Liberal flunky or that they will cast their vote on the board according to any dictate from the government. I suspect he would take great offence at that proposition, and I am sure that any person he appoints to the board would also take great offence at that proposition.

Let me say in defence of the people who currently serve on the board that they have not behaved as cronies or flunkies. They have not been dictated to. They have served the board with distinction and continue to do so. I do not know whether the Attorney-General is inviting or accepting the conclusion, by extension, that appointments made by the Baillieu government to this or any other board will by definition or default be Liberal cronies. This is an organisation that has worked very hard on legal education and on the production of both material and educational sessions to inform Victorians about the law. It plays a role not just in schools but for the community more generally. It has always proudly maintained its independence in providing education, programs, grants and research to Victorian practitioners and others, and I think the language that was used back in 2009 was unwise.

This bill implements a promise that the now government made in the lead-up to the last election, and that is fine. The opposition is more than happy to see this bill pass the Parliament, but I would wager that no speaker on the government side would accept the proposition that any person the Attorney-General appoints under the provisions of the soon-to-be amended act will be a Liberal Party flunky or crony. That assertion should not have been made about the people who make up the board at this time. With those few words, the opposition will not oppose the bill. I commend it to the house.

Ms PENNICUIK (Southern Metropolitan) — On behalf of the Greens I am happy to support the Victoria Law Foundation Amendment Bill 2011. The Victoria Law Foundation was established 44 years ago, and in that time it has provided a valuable service to the community of Victoria, educating the public about the law, carrying out research and providing grants for the community legal sector, particularly regarding

education and research about the law. It is hard to imagine Victoria without the Victoria Law Foundation and the legal community without the support in education and research services that have been provided by the foundation over this time.

Members would remember — some who were not here may not, but others were here — that in February 2009 we debated the bill that Mr Pakula referred to. With the support of the Greens and the coalition some amendments were passed to the Labor Party's bill regarding the governance of the law foundation. During that debate I raised the issue of the need to have the Federation of Community Legal Centres represented on the board of the Victoria Law Foundation. Up until that point it had not been the case; it was the Law Institute of Victoria and the Victorian Bar. Even though I had put forward the idea for the amendment, after discussion it was encapsulated in an amendment put forward by the government that the Federation of Community Legal Centres would be represented on the board of the law foundation, and it has been since. That has been a good thing, because many of the grants and projects that come through the Victoria Law Foundation are to do with community law and go to various community legal centres.

Mr Pakula spent some time outlining the provisions of the bill, which are basically to reduce the number of direct appointments by the Attorney-General from four to two. The bill provides for the appointment of the Chief Justice of Victoria, or her nominee, to the chair of the board, so it has removed the role of the Attorney-General in that process.

During the debate back in 2009 I expressed some concern about the Attorney-General being involved in that process, because the Victoria Law Foundation is not funded by the state government. It is funded by the Solicitors Guarantee Fund as an independent statutory body, and I believe the involvement of the government of the day via the Attorney-General's appointment of members to the board should be kept to a minimum. It is good that this bill does that. Even though the representatives from the other organisations named in the act will be appointed by the Attorney-General, they are in fact nominated by those organisations. It is appropriate that the board of the Victoria Law Foundation does not have a majority of members — or even an equal number of members — appointed by the government of the day as opposed to members nominated by certain organisations.

I agree with Mr Pakula regarding comments that were made about current serving members of the Victoria Law Foundation board. It is not appropriate to cast

aspersions on them when I am sure that as individuals they have carried out their roles to the best of their abilities and in an independent manner. It is unfortunate that comments were made in that regard, and it would be helpful if one of the government speakers were to make amelioration in that direction. However, I do not agree with the other points Mr Pakula made about the Attorney-General appointing the nominee of the chief justice or indeed the chief justice herself. That appointment should be removed from the Attorney-General.

They are the amendments that are put forward by this bill. I reiterate that the Greens are very supportive of the Victoria Law Foundation and the work it has done over 44 years on public education and research about the law. With those few words, I support the bill.

Mr O'BRIEN (Western Victoria) — It is with great pleasure that I rise to speak in support of the Victoria Law Foundation Amendment Bill 2011 and of the work of the Victoria Law Foundation over many years. I note that the opposition and the Greens do not oppose the bill. It is a short but important bill that has two principal actions. The first is to reduce the number of foundation members directly appointed by the Attorney-General from a maximum of four to two, and the second is to restore the Chief Justice of Victoria or the chief justice's nominee as chairperson of the foundation. There are of course other consequential amendments and transitional arrangements.

The coalition government is committed to restoring and enhancing the independence of our public institutions, particularly our legal and justice institutions, and in supporting them in their important work. This bill is a small but important step in a suite of policies that the coalition took to the election to implement far-reaching structural reform to strengthen judicial independence in Victoria. This is also a brief opportunity for me to assuage the Greens and the opposition of any disparagement by the coalition of the work of the board or the foundation over many years and for me to outline some of the important work that the Victoria Law Foundation has done throughout its existence. The foundation was set up to be independent of government, and its duties have evolved.

I note that last week was Law Week, which is one of the most public and important annual events run by the Victoria Law Foundation. It featured 150 law-based events in Melbourne and across regional Victoria. This year's theme was 'Law and justice in your community', and the program involved seminars, exhibitions, lectures, question-and-answer sessions, court and Parliament tours, other public events and displays

designed to provide legal information at little or no cost.

Law Week is the highest profile activity of the foundation, but there are many other important roles and initiatives of the foundation. In summary they include: continuing legal education; assisting with the establishment of the Leo Cussen Institute, which was founded in 1972; funding technology improvements in the Supreme Court; assisting with the establishment of the Victorian Court Information and Welfare Network; providing funding to ensure that every Magistrates Court in Victoria has a complete set of legal texts for the use of the legal profession; and providing funding for the purchase of video equipment.

Further initiatives include: the Victorian Immigration Advice and Rights Centre, including advocacy services; the Victorian Environmental Defenders Office; the Communications Law Centre; and the Public Interest Law Clearing House, known as PILCH. Both the EDO and PILCH are organisations I have had the privilege of accepting briefs from and providing advice to on the needy causes they have sought to advance over many years. Other activities of the law foundation include assisting with the establishment of Pro Bono Victoria, the legal policy internship program since 2003, and the Community Legal Centre Fellowship, numerous publications and, last but not least, Rural Law Online, which enables greater online access to regional Victorians.

The bill will deliver on the coalition's policy to return the Victoria Law Foundation to genuine independence by reducing to two the number of board members nominated directly by the Attorney-General and restoring the chief justice or their nominee as chair of the board. At this point I might just clarify one of the issues raised by Mr Pakula — namely, that the second-reading speech delivered in the other place was inaccurate. The second-reading speech by the Attorney-General described precisely what the bill will do:

The bill also restores the Chief Justice of the Supreme Court (or nominee) as chairperson of the foundation.

In clause 4, the bill amends section 7 of the principal act. It may be only a drafting or a technical legal clarification, but it is an important one because the existing act specifies explicitly that the nominee of the chief justice is the chairperson of the foundation. That is contained in existing section 7(2), which reads:

(2) The nominee of the Chief Justice is the Chairperson of the Foundation.

What the amended bill will do is split that power so it can either be explicitly the Chief Justice of the Supreme Court, or a person nominated by the chief justice, which enables the chief justice, should they be so inclined, to be an important chairperson of the foundation. This is consistent with previous presidents of the foundation over its 40-year existence, who include former chief justices the Honourable Sir Henry Winneke, the Honourable Sir John Young, Professor the Honourable John Phillips and from 2003 the present chief justice, the Honourable Marilyn Warren.

The Attorney-General's second-reading speech is accurate in that respect. It may be regarded as a confirmatory amendment in that the chief justice may have nominated themselves on occasion, but this bill explicitly provides the option for the chief justice to nominate themselves or a person nominated by them to be the chairperson of the foundation.

The second aspect of the bill raised during the debate in this chamber was in relation to some suggested criticism of present board members and the governance arrangements under the current legislation. For my part, and I believe I can speak on behalf of the Attorney-General in this regard, I make no criticism of any previous board members or the work of the foundation. What I took to be criticism that may have been made by the Attorney-General was in relation to the current governance arrangements under which the Attorney-General could, no matter what their persuasion, have an unnecessarily large influence over the appointments to such an important foundation and therefore over its perceived or actual independence.

I reject any suggestion that the appointees will be Liberal Party cronies or cronies of The Nationals, if there be such a thing in this state, or flunkies. What I would say is that we should put aside all the rhetoric about the politics of the structure of the foundation, because what we are seeking to do is enhance its independence without making any criticism of the worthy actions of the board. We are putting in place greater governance arrangements to ensure the greater independence of a such an important institution. These amendments are not opposed by the Greens or the opposition.

I will turn briefly to the purpose of the bill. As I said before, the chief provision in the bill is clause 4, which amends section 7 of the existing act to vary the constitution and membership of the foundation by providing that the chairperson of the foundation is the Chief Justice of the Supreme Court of Victoria or the nominee of the chief justice. Further it reduces the

number of foundation members appointed by the Attorney-General from up to four to two.

Under the bill the foundation will consist of six members, of whom at least three must be lawyers. One member of the foundation must be either the Chief Justice of the Supreme Court or a nominee of the chief justice, and this person is to be the chairperson. The Law Institute of Victoria, the Victorian Bar and the Federation of Community Legal Centres will each nominate a foundation member for appointment by the minister. Two further members will be appointed by the Attorney-General, having regard as far as is practicable to the need for the foundation collectively to have a range of experience, skills and knowledge, including knowledge of the law, legal research or community education; management of community organisations, not-for-profit organisations; financial management; grants administration; and marketing, communications and publishing.

The other key provisions of the bill include clause 6, which inserts new section 8A providing for the terms and conditions of office of the nominee of the chief justice. It provides that a nominee of the chief justice holds office for as long as determined by the chief justice or for as long as the nominating chief justice holds office as chief justice. A nominee of the chief justice may be removed from office by the chief justice. A nominee of the chief justice may resign by notifying both the chief justice and the foundation in writing of their intention to do so.

In terms of a quorum, clause 7 amends section 9(4) by reducing the number of members required to establish a quorum from four to three. This reflects the reduction in the number of Victoria Law Foundation members.

In terms of transitional provisions, clause 8 inserts new section 15 containing transitional provisions which provide that the changes to the constitution and membership of the foundation made by the bill do not affect the validity of decisions made by the foundation and do not otherwise affect the terms and conditions of existing foundation members. This provision is very important in terms of ensuring a smooth transition into the new, enhanced governance arrangements.

The provisions specifically allow for the continuation of the current membership of the ministerial nominee members of the foundation until the terms of the existing ministerial nominees expire or such a member resigns or is removed. The provisions also allow for the continuation of the term of the existing chairperson of the foundation until that term expires or the chairperson

resigns or is removed by the Attorney-General at the request of the chief justice.

In conclusion, we thank the opposition and the Greens for their support for this simple but important bill. We commend the Victoria Law Foundation on and encourage its continuance of its very important educative and innovative work for the legal profession and, more importantly, for those who come into contact with the legal profession and its institutions. I commend the bill to the house.

Motion agreed to.

Read second time.

Third reading

Hon. R. A. DALLA-RIVA (Minister for Employment and Industrial Relations) — By leave, I move:

That the bill be now read a third time.

In doing so, I thank all members who spoke on the bill for their contributions.

Motion agreed to.

Read third time.

HEALTH SERVICES AMENDMENT (HEALTH INNOVATION AND REFORM COUNCIL) BILL 2011

Second reading

**Debate resumed from 3 May; motion of
Hon. W. A. LOVELL (Minister for Housing).**

Mr JENNINGS (South Eastern Metropolitan) — Thank you, Acting President, for the opportunity to speak briefly on the Health Services Amendment (Health Innovation and Reform Council) Bill 2011. It is the intention of the opposition to not oppose this piece of legislation for a number of reasons that I will outline, subject to the committee stage of our consideration going well and not spectacularly badly. The minister should be able to satisfy a range of questions the opposition may have about this piece of legislation, small as it is. Sometimes small pieces of legislation have a great impact. They might play a role in supporting better public policy outcomes, better service configuration and in driving innovation. Those are the ostensible reasons behind this piece of legislation, and one would hope that it will play that role and achieve that outcome.

The opposition is concerned about what the bill does not do, its limits and how it fits into the policy and governance settings that will be introduced by the government. The government gave the people of Victoria the high expectation that there would be better outcomes in the public health system in Victoria. The opposition acknowledges the government has a mandate to deliver on that, because from our view that was an essential promise the coalition government took to the election. Part of that promise was to introduce the Health Innovation and Reform Council. The underlying reason for us not opposing the establishment of the council is that we acknowledge the government's mandate.

We have serious concerns about the ability of the government to achieve those outcomes, given its understanding of the complexities of the system and the resource allocation that is required to rise up and meet the challenges in the health sector, but those are outcomes we want the government to achieve in the name of better patient care and better health outcomes for Victorian citizens. In terms of the intent of the policy, this is a matter we should agree on. We should also agree on the intent to bring innovation and best practice to health services in Victoria. If this council can play some role in improving best practice, supporting practitioners and supporting the organisation and delivery of better health care in Victoria, then the opposition will subsequently congratulate the government on that achievement. I put myself on notice, as much as I put the minister and the council on notice, in relation to the achievement of those outcomes, because I will be very happy if that credit is deserved and due to be provided.

The opposition has serious concerns about the ability of the government to deliver on its mandated rhetorical commitment because of the relative resource allocations, investment strategies and support for the sector that the two competing parties took to the people of Victoria at the 2010 election. The outgoing Labor government was committed to a far larger program of recurrent expenditure in the health sector and a far greater program in terms of investments in new hospital facilities and new hospital beds. Even though it was clear that Labor had far greater commitments in terms of new money, new investment, new hospital planning and new service configuration, that did not prevent us from being removed from office and an incoming government with lesser commitments being elected to implement its policies in the health portfolio. That continues to be a challenge for the government — that is, how it can drive better patient outcomes in terms of hospital care when all health statistics indicate that there is an increasing demand for service growth.

Recently the government has been subjected to the scrutiny of the Public Accounts and Estimates Committee. During his appearance before the committee the minister was asked on a number of occasions to explain why he believed the current rate of growth in hospital demand would decrease in accordance with projections in the budget for 2011–12. Unsurprisingly the minister was not able to indicate what measures were going to reduce demand in public hospitals. He made a very unusual suggestion that the investment in and support for new palliative care services outside of hospitals was the only program he could identify that would contribute to the reduction in the rate of admissions and separations in Victorian public hospitals. In other words, he was encouraging people to die at home, which I concede might be a totally appropriate form of care. However, that was the only program he could identify as playing a positive role in reducing the number of admissions and separations from Victorian hospitals.

A lot of work is required to be done by the minister, the department and health agencies across Victoria to satisfy the expectation of Victorian people for better patient care. At its heart that is what this council is designed to support. The opposition has concerns about the government being able to achieve that outcome because of its connectivity with other sources of advice and accountability frameworks within the health portfolio.

When the coalition made its election commitment to establish this council on 7 November 2010 it talked about the role it would play in supporting and advising a body to be known as the commission for hospital improvement. The undertakings of the coalition seemed to suggest the repository for and implementation of best practice within the health system in Victoria would be driven through this commission for hospital improvement, which would be supported by the Health Innovation and Reform Council. However, the only body that is being established by this piece of legislation is the subsidiary council, and the relative roles and responsibilities of the council now have been reduced to advising the minister and the secretary of the department, while the role, responsibilities and delivery of the commission for hospital improvement are left unsaid.

Indeed this is a matter on which I will be seeking clarification from the minister in relation to how this may operate into the future. In the briefing for this piece of legislation the briefing officers were not able to provide me with any explanation as to the timing or the delivery of those matters and indeed whether it continued to be a commitment of the incoming

government to establish such a commission. I would encourage the minister to take the opportunity later in the Parliament's consideration to outline that matter.

The bill does not specify what matters of advice the council may provide to the minister, apart from a general description of a general power or general scoping of its responsibilities to advise the minister on ways to improve health performance and to deliver innovation. The explanatory memorandum does outline a number of examples of how that may occur, and that includes advice on mechanisms for enhancing data collection, on quality of care issues and on ways in which best practice in health care could be identified and then conveyed to the field. These are laudable and relevant issues that should be considered.

Yet there is one issue that was identified in the election policy where it was suggested that not only would this body deal with those three matters but its scope would also include providing advice on hospital access. That, interestingly enough, is the one item that has been excluded from the explanatory memorandum and which the bill does not go anywhere near. It would be of interest to the opposition, and I am sure it would be of interest to the Parliament and the people, to know whether access to service configuration is a matter that may be relevant for the council's considerations and whether it may be provided with the opportunity to provide advice on those important matters to the minister, the secretary and ultimately — if it is established — the commission for hospital improvement.

It is particularly the case that access is an issue with which governments have grappled from time to time, and it continues to be a major issue with which the federal government, for instance, is grappling, with its intended reforms of Medicare Locals. Any person in our community who is watching the development of health policy and the integration of health care across Victoria and Australia will know that it is a highly contested space in terms of the appropriate organisation of those matters and the ways in which governments, the health services with which they work and health practitioners can provide for appropriate access to and availability and integration of care. The concern of the opposition is that this bill does not allow for that scope and that the explanatory memorandum does not include it, even though it was a feature of the original commitment made by the coalition in the lead-up to the last election. These are also matters on which I would be interested to hear the minister's view.

Even though the scope has been reduced in this bill — so it has narrowed the scope, narrowed the focus,

reduced the bodies to which this body would provide information and reduced its nexus with the commission for hospital improvement — the bill provides for an increase from the original proposal to appoint three members of the council, to the appointment of no more than seven. There is no great drama in that. In fact three people may give you excellent advice, seven people may give you miserable advice and any number in between may give you the best advice in the world, so there is nothing too exciting about that. The interesting thing about it, though, is that there is only one specification for where those up to seven members may come from. There is a specification in the legislation that there will be a health provider, but there is a definite silence about the qualifications and attributes of all the other members, and I think that is an opportunity lost, as we could skirt the field to demonstrate a connectivity with the sector.

There was an implied suggestion in the original election commitment that this body and the commission would be harmonised and would work in a way which is collegial and collaborative with other health advisory bodies that currently exist at a statewide and regional level across Victoria, yet there are no safety provisions within this bill, the explanatory memorandum or any other public utterances, I believe, to indicate what other advisory bodies may or may not exist into the future — for example, what will their shelf life be, what will their responsibility be and what will their connectivity with this body be? I think it would be wise for the government to outline those, and I will certainly provide the minister with an opportunity to provide such an outline later today. I think those sorts of reassurances and that confidence building would be a useful thing for the minister to convey to the Parliament and then to the field itself.

I think that by and large if confidence is built within the Victorian health system, then we can continue to provide very close to world best practice of health care in Victoria. We should not for one second be complacent in terms of delivering quality care to Victorian citizens, and in that spirit and with that intent the opposition will not oppose this piece of legislation. We support the intention of the government to deliver those better outcomes. I have outlined to the chamber that I think all of us would be in a better place if we had a clearer understanding of how that pathway may be built in the future. In relation to the health sector and health policy generally, I encourage the health minister to build that pathway in collaboration and cooperation with the sector and as many fellow travellers as he can.

I wish the Health Innovation and Reform Council well in its work once it is established. I hope that it is able to

have good thinking and good advice and good connectivity with both the intellectual and clinical practices that are important to deliver in health care into the future. I hope it makes a positive contribution to better health care in Victoria. I have already indicated that the opposition will not oppose this piece of legislation, and on a number of occasions I have indicated to the house that in the committee stage of the bill I will be expecting to have a conversation with the minister about the matters I have raised.

Ms CROZIER (Southern Metropolitan) — I too am pleased to rise to speak on the Health Services Amendment (Health Innovation and Reform Council) Bill 2011. This bill is uncomplicated. It was part of the Baillieu government's commitment to improve our health system. In addition, it will be part of this government's objective to be a leader in health reform and innovation once again. The purpose of the bill is to amend the Health Services Act 1988 to establish the Health Innovation and Reform Council. As Mr Jennings highlighted, last year the coalition went to the election announcing that it would establish a Health Innovation and Reform Council.

The functions of the council are pretty straightforward. It will be there to advise the minister and provide the highest level of expert advice on opportunities for innovation and reform, which will lead to improved efficiencies and outcomes for Victorian patients. It will also provide advice to the government on clinical and hospital administration best practice, it will be focused on improving quality and safety within our health system and it will ensure that evidence-based medicine will be at the forefront of decision making and future health planning. It will in part identify the ongoing health demands and needs of the Victorian community, and it will contribute to ensuring that those demands and needs are met.

Identifying areas of innovation and reform will be imperative in a changing health environment and will assist in improving the quality and delivery of health services to this state. To achieve this, planning is a major focus of this government, and that is why the health minister recently released the health priorities framework 2012–22, which is aimed at addressing the ongoing future health service requirements of the Victorian community. It is not just a plan for three to four years but a framework focused on meeting the needs of Victorians for 10 years and beyond.

Major issues in health service delivery were constantly identified by the previous opposition: the lack of planning for an increasing and ageing population, the well-documented increase of hospital admission rates,

the need to reduce the rates of readmission and the need to decrease elective surgery waiting times. All of them have a major impact on the overall efficiencies of many of our hospitals and health services.

Victoria is fortunate to have a number of leading teaching and research facilities that are recognised internationally, including the Murdoch Children's Research Institute, the Florey Neuroscience Institutes and Baker IDI, to name a few. We have major public health services and hospitals. I have worked in the Alfred and the Royal Women's Hospital, as it was known then. They are both extremely well known both internationally and nationally, and they are just two examples of hospitals that have had to adapt over many years to a changing community's needs. However, over the past 10 years or so Victoria has experienced both growth and diversity in its population, something the previous government failed to keep up with on many fronts. I think it was the Leader of the Opposition who admitted that just this past weekend to the delegates who did attend the Labor state conference.

As I said, growth and diversity have not happened overnight; they have been happening for many years. But what we had over the past 11 years was a government that was unable or unwilling to keep up with a rapidly changing community and the needs of a health system that was becoming increasingly overburdened. The previous government was more interested in cover-ups, distortion of figures and manipulation of data rather than putting together a plan for a changing community and addressing the needs of Victoria's health system.

The previous government, under the then health minister and now Leader of the Opposition, Mr Andrews, should have been more up-front as to the true situation and status of our health system. Cover-ups and distortion are not what the Victorian public expect, and they are not what those working in the health system expect from their government. That sort of situation is truly demoralising for anyone working at the coalface. It is those who are working at the coalface who understand the issues. They know when services are not being met, and they are the people who constantly come in contact with the public and have to address the concerns of people when their loved ones are waiting for an ambulance, lying on an ambulance trolley or having their elective surgery time bumped. Those are just some of the examples of things that were all too frequent an occurrence in recent years.

In contrast, this government will work with clinicians, hospitals, health services and associated stakeholder bodies. It will report and improve on those wait times.

As has been said, it has a mandate to do that and it will. It will be focused on improving the service delivery to the various health sectors, whether that be in acute or aged care, mental health, primary care, dental care or child and maternal health. It will continually assess the activity of our various health services — unlike the previous government, which had a very poor track record of acting on unfavourable hospital activity and data.

In fact it was in this chamber that a previous standing committee found that there was damning evidence as to the accuracy of the previous government's hospital data and figures. The previous government was warned in 2009 that there was alarming data emerging about the true situation of elective surgery wait times, emergency department wait times, admission rates and readmission rates. The committee was told how staff in one major hospital had been pressured to change data to make it look better. This is another blatant example of manipulation. That was abusing the trust of the Victorian public for a political purpose. This should have been exposed, and it was.

A report tabled by the Auditor-General during the previous Parliament showed ambulance response times in rural and regional Victoria to be the worst in five years. It confirmed that the ambulance service was in crisis. An increasing demand for ambulance services by the Victorian public was not planned for or met by the previous government. I am personally aware of incidents in country Victoria where ambulances got lost on their way to attend to a patient and the response times were questionable, to say the very least. Incidents like those have been reported extensively, and as a consequence and disturbingly the Victorian public has lost confidence in its system. It is imperative therefore that we restore that confidence and that these types of incidents become rare and not the norm.

In the lead-up to last year's election the coalition made it very clear to the Victorian public that public hospital data and performance would be a key issue addressed by a Baillieu government. At the time the coalition outlined the immediate improvements and investments required for the Victorian health service. The government is addressing many of those issues that the previous government either refused to address or simply did not understand were required to improve the Victorian health service.

In the recent Victorian budget the Treasurer, Mr Wells, announced a significant investment of more than \$13 billion that will assist with the objective of improving Victoria's health system after 11 years of Labor's neglect. The budget announcements are a

welcome acknowledgement of a system that needs a high degree of attention, whether it be investment in the area of mental health, extra hospital beds, additional nurses or ambulance officers, health infrastructure, health and medical research or increasing the transparency of accountability and waiting times. The budget announcements and actions of the government will assist in restoring that confidence that our health system and the Victorian public so desperately need.

While the government is restoring that confidence the Victorian public has a right to know the challenges faced by our health system and not be fed false or misleading information. The government will have data readily provided to the public, it will have a strategy for the ongoing needs of current and future population demands and it will be in touch with the community through consultation. One of the ways of doing this will be through the Health Innovation and Reform Council.

We all know that our health service will not be perfect, that there will be wait times and that unforeseen incidents will occur. Anyone who has worked in the area of health, especially emergency health, will know that situations can change extremely quickly; a patient's condition can deteriorate in an instant and there can be unforeseen circumstances at a hospital. However, the Victorian public should be assured that in general its public health service has the capacity to respond to the needs of the community, and it can have confidence in a government that acknowledges the need for ongoing improvements.

Victorian health workers should also have confidence in their government. The Health Innovation and Reform Council will allow for clinicians to have direct access to the minister and to the highest levels of the Department of Health through their involvement with the council. It will provide advice on a range of matters affecting the health system, including the demands of an increasing population.

Since 2000 something of the order of 600 000 people have come to live in Melbourne. During that time there has been no real increase in hospital beds to match the needs of the increase in population. The previous government had 11 years to address this issue but failed to understand the demands of an increasing population and its ongoing effects on the Victorian health system. There was quite simply no planning in this crucial area. As mentioned, the additional bed numbers announced recently will alleviate many of the pressures experienced by so many health services.

Health will always be complex and challenging, but it is and should be a high priority for any government.

Medical innovation and reform should also be a priority that is supported by governments. Australia and Victoria have been at the forefront of reform and medical innovation in many areas. Some of that innovation has been in the clinical area, with the development of penicillin, Gardasil and the cochlear implant. Those three medical innovations have advanced this country's reputation at an international level. They are now commonplace around the world and have done much to improve the lives of literally millions of people.

A range of worthy research continues in this country. Whether it be in the use of technology, a cure for diabetes, mental health research or improved work practices, research and reform are part of identifying and addressing areas of need for a changing community's requirements. Some of this ongoing research already has a practical application and is improving the lives of many Victorians. It was therefore concerning to learn recently that in the federal budget there was a shortfall of around \$150 million for medical research. Health and medical research requires ongoing support from governments at all levels, and that money can go a long way towards supporting much of the research that is undertaken throughout the country.

One of the biggest challenges this government and governments throughout the country will face is the ageing of the population and the subsequent future requirements of that ageing demographic. How that issue, along with alarming rates of chronic disease, will impact on our health system needs to be assessed through ongoing reform.

A health reform well known to this state is casemix funding, which was developed under the Kennett government in the early 1990s and which is now being considered in part by the federal government. It was an innovative reform that I as a clinician at the time had input into. It was a reform that had input from a range of clinicians. Although it was considered controversial at the time, the Kennett government made some difficult decisions and identified and addressed the ongoing requirements of the Victorian public health system and the needs of its users: the patients. The casemix system was by no means perfect, but it has stood the test of time and is now being used as a model by the federal government to be implemented in other states of Australia. It is a very good example of health reform.

The Health Innovation and Reform Council will include not only experts in the field — Mr Jennings queried the scope of this and had concerns with the bill,

including in relation to health performance — but senior clinicians who work at the coalface will also be able to give firsthand accounts of their experiences of our health system, including how effective it is, what the issues and problems are, how we should be addressing those problems, how it is affecting their colleagues and other Victorian health workers, and ultimately how the system as a whole should be servicing Victorian patients. I have no doubt that the council will assist in the scoping, as Mr Jennings highlighted, but it will also include a range of senior health service managers and academics. Collectively this group will provide the council with knowledge and expertise of the highest standard.

The council will be consultative. It will work collaboratively and complement the existing work undertaken by the various statewide and regional health bodies in assessing, identifying and planning for the future health needs of Victorians. The health demands and challenges of both current and future populations will not diminish but instead increase. We need to be able to identify health trends and needs, provide support to our research bodies, identify the issues surrounding resourcing, understand the complexity of an ageing population, support our health workers and plan for a Victorian community that continues to evolve. We need to identify the actions required and implement reform.

The Health Innovation and Reform Council will assist in achieving this objective. Through the council's direct involvement with the health community and by advising the government at the highest level, challenges will be identified and improvements will be actioned and implemented, leading to a high-quality and more efficient health service for all Victorians. I commend the bill to the house.

Ms HARTLAND (Western Metropolitan) — I will make only a very small contribution to the debate, because Mr Jennings covered a number of my concerns. One of the things I would like to ask, though, is whether, when the government sets up this council and seeks its advice, the people on the council will be able to give frank and fearless advice and whether that advice will be made public? Keeping in mind that there are obviously a number of areas around health that need to be looked at, including community health, preventive health, services for the outer suburbs, will there be transparency around this council? As those areas grow, how are we going to keep up with community preventive health programs and provide the hospital beds that are required? What about waiting lists in hospitals? How are they going to be defined? Is it going to be from when a person's GP writes to the hospital? Is it going to be from the first outpatient clinic attendance?

Will we continue to have two waiting lists? Are these the kinds of things that the council is going to look at, define and reform?

What about dental services? We know that there is a critical shortage of dental services in the outer suburbs, especially in the western suburbs. Will this council be able to give frank and fearless advice? And, more importantly, will the government act on it? How will we know what is going on? Will the council report to Parliament? Will they be public reports? Will we be able to access the council's findings? What will those processes be? During the committee stage I will be interested in the Minister for Health's answers to my questions on this bill. I hope he will be in the chamber.

Mr SCHEFFER (Eastern Victoria) — The Health Services Amendment (Health Innovation and Reform Council) Bill 2011 establishes the Health Innovation and Reform Council. As Mr Jennings has already indicated, the opposition will not be opposing its passage. The Liberal Party did not release a health policy prior to the last election. Luckily Labor rose to the challenge and was able to release — I think it was early last month — not one, not two, but three versions of the Liberal draft health policy. Those documents now appear on the internet so that everyone can access them.

On budget day, which was five months after the election, the government officially released *Victorian Health Priorities Framework 2012–2022 — Metropolitan Health Plan*. In the minister's words, this plan purports to review Victoria's health services. It sets out the case for change and proposes important directions and priorities to guide detailed planning and development into the future. In other words, after reviewing, assessing and pointing out the way to go, the plan will act as a guide to further plans. It also invites community members to send in their comments on the document.

When the metropolitan health plan was released my colleague the shadow Minister for Health, Gavin Jennings, said that the document was deeply flawed. In his opinion it was long on so-called analysis and planning and short on action that would make any kind of material difference to the delivery of health services in Victoria. The shadow minister also said that the plan did not deliver one extra dollar and no additional medical staff to treat patients.

I went through the metropolitan health plan to see how it might relate to the draft version of *Victorian Liberal-Nationals Coalition Plan for Health* which was released by the then opposition but was never finalised

during the election campaign itself. Page 6 of the draft policy commits the coalition to establishing a commission for hospital improvement, which would be responsible for developing, managing and coordinating programs and best practice leading to improvements in our hospitals. But there is no mention of the commission in the metropolitan plan.

The draft policy says that a health innovation and reform council will advise the commission for hospital improvement. Interestingly enough, The Nationals policy release on 7 November 2011, which was prior to the election last year, also announced an intention to establish such a commission and the Health Innovation and Reform Council. One policy was formally published and released by The Nationals and one policy was not published by the Liberals, but was subsequently published by the opposition after it obtained a draft copy. The minister's second-reading speech and the bill before us makes no mention of the commission, so for some reason the coalition government has decided, without any explanation, not to present the whole package at this stage. The commission for hospital improvement has now been simply airbrushed away.

We could all agree that maybe this is not the biggest of issues, but this unaccountable disappearance of policy needs some sort of explanation. It shows that there is not a lot of clarity or order in the health minister's management of this policy overall. The government could have made a statement that the idea for the commission was, for example, just a frolic by The Nationals or that The Nationals had jumped the gun in the heat of the election and that there is a new approach now. The second-reading speech was another opportunity to clarify the policy shift. I look forward to members of The Nationals explaining in their contributions what happened to their publicly released policy commitment to establish a commission for hospital improvement.

The second-reading speech says that the new Health Innovation and Reform Council will work closely with the Victorian Quality Council which, as we know, provides the Minister for Health with advice on ways to improve the quality and safety of Victorian health services and to promote continuous improvement in the health sector. It seems to me that there are any number of overlaps between the work of the Victorian Quality Council and the work of the proposed commission. It seems likely that the government could not work out how to line up all these overlaps so it decided to step out of the space and use the existing structure as much as possible.

As I said, the coalition's draft policy is now available on the internet courtesy of the opposition. It presents a list of coalition commitments, including reducing hospital waiting lists, funding infrastructure projects, improving hospital bed capacity through innovative procedures and increased bed numbers, improving ambulance response times, addressing the so-called crisis in outpatient services and preserving nurse-to-patient ratios.

The draft policy shows how much funding a new Liberal government would commit to major health infrastructure, and the allocations contained in that draft fall short of the amounts needed to deliver them — for example, an upgrade of the Royal Victorian Eye and Ear Hospital is allocated \$40 million in the draft policy, whereas I am advised that the real cost would be something like \$165 million. The Monash children's hospital, which has received a great deal of attention in public debate, is allocated \$60 million in the draft policy; in the budget it got around \$8.5 million for what amounts to a planning grant for a development that is estimated to cost \$250 million. The last examples I will draw on are the Box Hill Hospital, which has been allocated \$20 million, even though the coalition itself promised \$40 million, and the Bendigo hospital, which according to the draft would only see \$21 million, with the remaining \$81 million having to wait until 2015. The point I am making here is that the draft policy foreshadows a commitment to fund around a third of what is required to deliver the coalition's promises.

While the coalition did not ever release a full health policy, in the document of 7 November released before the election, to which I referred earlier, The Nationals committed \$87 million to cut hospital waiting lists. In their policy The Nationals nominated the establishment of a commission for hospital improvement and a health innovation and reform council, but they did not give any funding allocations for these. The text of The Nationals' commitment was almost the same as the Liberal-Nationals' draft policy on health, which, as I said previously, committed them to establish a commission for hospital improvement as well as the Health Innovation and Reform Council. The point of all this is that the background to the story of this legislation is one of quite astonishing policy confusion and disorganisation, with the Liberals and The Nationals saying different things in the middle of a sort of jumble of costings and funding commitments.

Returning to the bill, as the shadow minister and others have indicated, it specifies the functions of the Health Innovation and Reform Council, which are to provide advice and report to the Minister for Health and the secretary on matters relating to the effective and

efficient delivery of quality health services — so far, so good. The provisions are interesting, both for what they say and for what they do not say about the transparency of the council's work. The bill stipulates that the council investigates only those matters that the minister tells it to, and there are no provisions for own-motion investigations, which I think unnecessarily limits the possible purview of the council. As well, there is no suggestion of how the council would publish the results of its investigations and recommendations — for example, whether it would be to this Parliament, which is perhaps a good idea, or whether it would be by the minister himself.

Without provisions covering those matters, the work of the council would seem to me to be potentially and unacceptably secretive and contrary to the coalition government's espoused commitment to openness in government. As I said in my opening comments, the opposition will be supporting this legislation, but its provisions raise a host of matters that the coalition and the health minister need to address.

Mrs COOTE (Southern Metropolitan) — I have great delight in speaking on the Health Services Amendment (Health Innovation and Reform Council) Bill 2011. I wish to congratulate the minister on proposing such a bill and for showing yet again that the Liberal-Nationals coalition is prepared to have scrutiny, to look at innovation, to understand what is happening out there in the broader community and to be open to suggestions.

The purpose of the bill is to establish the Health Innovation and Reform Council. The function of the council is to provide advice to and report to the Minister for Health and the Secretary of the Department of Health on the effective and efficient delivery of quality health services at the request of the minister.

I will go through in some detail the contributions that have been made in this chamber this afternoon, but at the outset I would like to say that my colleague Georgie Crozier has covered a number of the issues in this bill with great detail and great distinction. I encourage anyone who is interested in this bill to look at tomorrow's *Hansard* and read closely what she said, because she spoke of a number of issues in great detail, showing the philosophy behind the bill and what is intended by the Baillieu government with this bill and its direction going forward. Ms Crozier spoke about innovation. I believe the other speakers we have heard on this bill have ignored the innovation aspect of it.

As Ms Crozier rightly pointed out, this state has an impeccable past record, in an international sense, in

relation to the research and innovation we have brought to the fore. Right on our doorstep we have institutes such as the Howard Florey institute; the Murdoch institute, with its research for the Royal Children's Hospital; and the Baker institute, which is associated with the Monash University and the Alfred hospital, which are in our electorate of Southern Metropolitan Region. We are continuing to be at the forefront of research. Some extraordinary research is being done into Alzheimer's by Professor Colin Masters and his team, and I know there are other scientists and medical experts in this state doing some extraordinary work. I know the minister is keen to hear from the experts and to seek advice so that Victoria can continue to be at the centre of research in the international arena.

I must look at what the shadow Minister for Health, Mr Jennings, had to say. For those of us who were here when Mr Jennings was in government, we were forever grateful that we had time limits on some answers, because he went on and on. It is tragic that in the position he now has we have to sit here and listen to these diatribes. The waffling that went on about this particular bill is an example of this. He was all over the shop.

I know how difficult it is, Mr Jennings — through you, Acting President — in opposition, and I know that getting information is particularly difficult. Obviously he is struggling with this because he did not put up a coherent argument, although the government is pleased that he is not going to oppose this excellent bill. But Mr Jennings went on and talked about the connectivity between other sources of advice in the health sector. That all sounded good, unless you were listening to it closely; he did not go on to give any examples or any real definition of what he was trying to say. Perhaps when we go into committee he will have another opportunity, and I wish him good luck with that. However, I would have to suggest that his contribution to the debate on this bill was less than edifying.

Mr Jennings went on to talk about the members of this organisation and said, 'It could be three or it could be seven', and on he went. He was scathing of who may be put up as representatives on this council. I would suggest to him that, unlike the former government, we in this government are keen on openness and transparency, and it is really important for us to make certain that we get experts in the field who are at the coalface.

We have spent a lot of time in opposition — as the opposition is only too well aware — and one of the things you learn in opposition, which I am sure Mr Jennings is going to learn in a great hurry, is that

you listen to the people out there and you hear what they have to say. The hallmark of the Bracks and Brumby governments was that they forgot to listen. They stopped listening to the people, and they did not know what was happening. With the Health Services Amendment (Health Innovation and Reform Council) Bill 2011 we are providing an opportunity for people to have a vehicle in place so we can have openness and transparency, with lists of innovations from the people who are at the coalface.

As Ms Crozier said in her contribution, we are facing some health challenges, and I reiterate that. We only have to look at the population numbers in this state to see that we have a huge ageing population and that we are going to be facing issues and challenges. We will be looking for the public and this council to tell us what the innovations are that we can look forward to into the future. We will therefore act on proper advice so that we can make ongoing policy decisions to deal with the challenges.

There is an obesity epidemic which is going to be a challenge to us in this state. We also have a multicultural mix that has issues of its own; each one of those communities has to be looked at and addressed. I know the health minister is going to encourage contributions from relevant groups and to see where innovations can be addressed.

I agree with one of the issues Ms Hartland mentioned in her contribution, and that is the idea of looking into issues that are particularly relevant to outer suburban areas. The minister will be interested to look at that. I know the minister is very keen to hear about how things can be made better within the health sector.

Ms Hartland also said in her contribution that she hoped there would be frank and fearless advice. I suggest that unlike the opposition, we have been getting frank and fearless advice for a significant time, and that has resulted in the policy we have put into place. We will continue to listen to members of the public and hear their frank and fearless advice. Transparency will in fact be a hallmark of this government.

Mr Scheffer appeared once again to have had lessons from Mr Jennings, because his contribution to the debate seemed a bit all over the shop. Mr Scheffer was so desperate that he was grasping at straws and referring to draft documents that he had obtained from the internet on things that happened in what now seems the dim dark past when we were in opposition. He talked about secrecy, and he tried to beat up a whole lot of issues into draft policies, issues that had no relevance at all.

I reiterate what my colleague Ms Crozier said. I believe this is a great bill and is going to be a good, open and transparent tool for the Minister for Health and for Victorians on the whole. I commend this bill to the house.

Motion agreed to.

Read second time.

Committed.

Committee

Hon. D. M. DAVIS (Minister for Health) — I seek leave to have Mrs Coote sit with me at the table.

Leave granted.

Clause 1

Hon. D. M. DAVIS (Minister for Health) — I will make some brief comments on the purpose clause and respond to a couple of points made during the second-reading debate. This is not a complex bill; it is a straightforward bill that seeks to give effect to the government's election commitments to establish a Health Innovation and Reform Council. The simplicity of the bill and the lack of prescriptiveness in the focus on the Health Innovation and Reform Council is deliberate. I seek, in this process, to get the house's support for the bill, because it will enable us to establish the council and, in doing so, seek the best advice and put a firm, legislative and parliamentary underpinning to the work of the innovation and reform council, giving it the standing to advise the commission on hospital improvement, about which there have been questions. I am happy to respond to questions about that process.

Essentially, this bill gives effect to the government's election commitments. The success of the innovation and reform council will fundamentally be driven by the quality of the people we appoint to it. We intend to appoint people of high quality through an advertising process, and we will seek people of great commitment and knowledge.

Mr JENNINGS (South Eastern Metropolitan) — I thank the minister for a very promising start. In my contribution to the second-reading debate I said it was the intention of the opposition not to oppose this bill. We are intending to support it, subject to the committee stage going well, and I anticipate it doing so. For some reason Mrs Coote decided to take me on. I do not really know why she has come to the table; it may be that the

spirit she has reintroduced to this consideration might result in us getting somewhere.

The first issue I would like to raise concerns the nature of the legislation itself and the standing of the act. Could the minister convey to the house, in the first instance, what is the legislative imperative of this piece of legislation? Why, indeed, is this legislation required in terms of the obligations and the opportunities it affords the council that would not be able to be afforded to it if we did not deal with this piece of legislation?

Hon. D. M. DAVIS (Minister for Health) — In response to the member's point, the very purpose of the act is to give legislative underpinning to its measures and in effect to make a declaration of the Parliament that this is an important area for activity and an important area that the Parliament has marked out for focus. The council's focus on quality, safety, innovation and reform will be important as we go forward. As has been pointed out, there are a number of other advisory committees that exist, and these will be able to work successfully with the Health Innovation and Reform Council. By being given the measure of independence and standing that it gets as a body established in this way, it will have more authority and the ability to give solid advice to both minister and secretary, as is outlined, but also to the commission for hospital improvement.

Mr JENNINGS (South Eastern Metropolitan) — In fact Mr Davis has actually led me to the next question — he may as well have answered it straightaway. It would be useful to us to understand the connection between this council, which is being established by this legislation and given the scope and responsibility as he has outlined, and the commission. In the election policies made by the coalition, which I have taken to be the commitments that he accepts as part of the mandate to establish this bill, there is an advisory role that this council will play in providing advice to the commission for hospital improvement. Indeed the minister himself has just culminated his first answer by indicating that that will happen. But at no stage up until now in the debate under consideration have we actually appreciated when the commission is coming, what role the commission may play, how it may be connected to the roles and responsibilities of the council and for that matter how it actually sits in its responsibilities with the minister, the department and the secretary.

Hon. D. M. DAVIS (Minister for Health) — The response I gave a moment ago I think does outline that relationship and does seek to give direct effect to the commitments we made during the election campaign.

Mr JENNINGS (South Eastern Metropolitan) — Obviously there is supposed to be a reporting, advisory and accountability relationship between these various bodies, but this body, the commission, does not exist — unless it has arrived unannounced by ministerial or departmental decision. I am interested to know when the commission will be established and what responsibilities it may have in terms of its connection with the council that is being established by this piece of legislation.

Hon. D. M. DAVIS (Minister for Health) — The commission will be established after the bill is passed and the council is in a position to advise the commission. The innovation and reform council will be a body that advises the minister, the secretary and indeed the commission, which will be a section of the department and which will have the ability to accept advice from the learned people we seek to put on the innovation and reform council by appointing people of merit and quality who have the capacity to make points and to advise. It will have a strong relationship with the department, so that the innovation and reform council, as I say, will be in a position to advise and to support.

Mr JENNINGS (South Eastern Metropolitan) — In fact I do not mean to entrap the minister by the difference between the council and the commission. When the minister reads his answer in *Hansard* he will see that he might have confused them at the beginning, but I am not going there. Where I am going to is: can we just distil the minister's answer to say the commission will be established within the department but will not be part of a piece of legislation?

Hon. D. M. DAVIS (Minister for Health) — It will be advised by the council but will not be established by legislation.

Mr JENNINGS (South Eastern Metropolitan) — In a minute, in the commencement stage of this piece of legislation, we will be talking about its operating time frame. I can ask the question then about when the commission may start, or I can ask about it now.

Hon. D. M. DAVIS (Minister for Health) — I am happy to answer it now. I would not be so presumptive as to establish new sections or activities within the department ahead of the Parliament giving its blessing to this innovation and reform council.

Mr JENNINGS (South Eastern Metropolitan) — I think somehow we just got confused. I was asking a question about when the commission will be established. The commission is not subject to the consideration of this legislation. I was trying to seek

from the minister an indication of whether there is any legislative connection between the council and the commission. I thought we had got to the situation to indicate that the council has — —

Hon. D. M. Davis — An advisory role.

Mr JENNINGS — No, the council is established by statute. The commission is not established by statute. My question to the minister is: what is the time frame in which the commission will be established and what is the process by which it will be established, so that in fact the council, once established by law, will be able to provide advice to it?

Hon. D. M. DAVIS (Minister for Health) — It will be established in a timely way after the passage of the legislation. As I say, I would not be so presumptive as to jump ahead of the Parliament, but the legislated innovation and reform council will be in a position, after the passage of the legislation, to advise a commission that is established as part of the department.

Mr JENNINGS (South Eastern Metropolitan) — My only point is that the minister has clearly indicated to us that the rationale for this council being established in statute is to provide a focus and a discipline and a sense of how important its work is. Fair enough. He has indicated to us that a body that it provides advice to — so it sounds like a body that actually takes responsibility for taking actions from that advice — is not a body of sufficient gravity and importance to be established by statute, and he cannot tell us when it will be established. We may go around in circles for a long period of time, but that is what I understand the situation to be.

Hon. D. M. DAVIS (Minister for Health) — I make the point that the reform council will be established by statute if the Parliament gives it its blessing, and I am not so presumptive as to jump ahead. Equally I indicate that the commission will be within the department and will, with the blessing of the Parliament — today perhaps — be in a position to be established and to be advised by the innovation and reform council. Both are part of the picture.

It is important that the innovation and reform council has independence and statutory underpinning and that people of quality who are appointed to it are in a position to have that recognised. The department of course will accept advice from a range of sources, as would be normal. The minister and the secretary will also accept advice from a range of sources, but the

innovation and reform council will be an important source of that advice.

Mr JENNINGS (South Eastern Metropolitan) — We will come back later to how independent and open it might be, but from the way the minister has described the role and responsibilities of the commission and the time frame in which it will be established, it appears that it will not have a scope of practice that would enable it to undertake its activities without receiving advice from the council that has been established under this law. That is the logic from the position the minister has just outlined to us.

Hon. D. M. DAVIS (Minister for Health) — There is no reason to presume that the only source of advice will be the innovation and reform council; I have not indicated that at all. It would be one important source of advice. As I said, if people of good quality and great knowledge are appointed, they will be in a position to provide strong and timely advice.

Mr JENNINGS (South Eastern Metropolitan) — If that is the case, and that might have been my conjecture all along, it sounds like there has been no impediment to the establishment of the commission because it can in fact undertake its work and responsibilities regardless of whether the council has been established by law. It may function in a better fashion because of that advice that it has been established by the council under law, but it has not been an impediment to its establishment.

Hon. D. M. DAVIS (Minister for Health) — The innovation and reform council will be a key source of advice to the commission. As you will see from our election commitments, the two were closely linked and will be closely linked. That is not to say that we are prescriptive about where good quality advice should come from. That would be unnecessary and in fact probably counterproductive. We would want to see advice from a range of sources, and the innovation and reform council will be in a position to give that advice.

Clause agreed to.

Clause 2

Mr JENNINGS (South Eastern Metropolitan) — This one will not come as any great surprise to the minister given that we have been talking about the commencement of the commission in our discussion of the purposes clause. Now we can talk about the time to introduce the important work of the council. I know the clause provides the minister with some degree of flexibility, but I am sure he is not going to want to use the maximum flexibility available to him. Could the minister give the committee a sense of how long it may

take to establish the council, the process he might undertake to make appointments to the council and what degree of consultation or consideration may be required before the council is established?

Hon. D. M. DAVIS (Minister for Health) — As the member has noted, 1 March 2012 is the date on which the council would come into operation if there were not a proclamation at an earlier point. It is my intention that there would be minimal delay or limited time before we bring this into operation. There is no need not to begin bringing this into operation, and we would certainly seek to do that quite quickly. It is my intention that the process would be an advertised appointment process. We would advertise in a very open way with public advertisements. We would seek the input of a range of groups. Frankly, the purpose of the innovation and reform council is to have people of real standing and quality who can actually make a contribution that is esteemed and respected. The purpose of the advertisements would be to widely advertise that and allow people of merit to come forward.

Mr JENNINGS (South Eastern Metropolitan) — Just to nail it, could the minister give us any indication of how long the advertisements would run, how long the process would go for and whether the council would be likely to be in place by the end of year? Or is there some other time frame?

Hon. D. M. DAVIS (Minister for Health) — I have not put any specific time on it, but it is not my intention to delay. It is my intention that if the Parliament gives its blessing — and I do not want to be presumptive in any way — the council would be established and we would advertise for positions relatively swiftly.

Clause agreed to; clause 3 agreed to.

Clause 4

Ms HARTLAND (Western Metropolitan) — The minister has spoken about how he will be advertising for members; however, I ask him to give us some outline of whether he has established whether what is needed is someone from community health, someone who has a preventive health background or someone from dental, because in this there is only actually one specified member. Proposed section 134R(3) states:

At least one member of the Council is to be a registered provider within the meaning of the Health Services (Conciliation and Review) Act 1987.

There are vast areas. What are the other areas that the minister is looking for? Or is there a quota?

Hon. D. M. DAVIS (Minister for Health) — My intention here, and the purpose of these sections in the legislation, is not to be prescriptive, but I will seek the appointment of a gamut of people who have experience and knowledge. I am not wanting to be immediately prescriptive in some way. In framing the legislation the government sought to ensure that there was one specified category, being a provider. We did not want this to be a body that was removed from the practice of health care; that is the reason for the specification of a provider. Beyond that I did not want to be overly prescriptive. I did not want to close off the options, but I am aware of many of the points Ms Hartland is making.

It is important to ensure that people of some academic background receive weight. People from community health backgrounds and people who, as I said, have clinical knowledge would also be given weight in the process. The fact that the bill does not specify people with certain skills is not meant to count out options. It is meant to leave things so that people with a range of backgrounds and skills can be brought forward.

The DEPUTY PRESIDENT — Order! Before calling Ms Hartland, I am sorry that I did not notice the interruption to Mr Davis's contribution. It would be better, if members are having conversations in the chamber, that they do so without being in the line of debate and discussion between members addressing the bill before the committee.

Ms HARTLAND (Western Metropolitan) — I understand the minister's point, but I am gravely concerned that, unless he specifies people with certain backgrounds, the council that he says is going to give advice may not have all of the necessary experience. Considering that the minister has specified one position, I would have thought it wise to specify that other positions need to be filled by people with particular backgrounds. Also, is there a consumer or a community member of the council?

Hon. D. M. DAVIS (Minister for Health) — The government took the view that it would not be prescriptive in this instance. I take on board Ms Hartland's points, and I am very aware and alive to those points, but the government took the view that by not specifying it left the maximum breadth and opportunity to have people of capacity and merit. It is not the intention to leave out anyone; the intention is to leave the maximum possible capacity for appointment by merit.

Ms HARTLAND (Western Metropolitan) — I would also like to ask some questions about the proceedings of meetings — —

Mr JENNINGS (South Eastern Metropolitan) — Ms Hartland could have dived into clause 4 for a variety of reasons but chose to ask questions in relation to the constellation of members, and I have some questions about that. Rather than changing subject matters — —

The DEPUTY PRESIDENT — Order!
Ms Hartland, are you comfortable with that?

Ms HARTLAND (Western Metropolitan) — Absolutely.

Hon. D. M. DAVIS (Minister for Health) — I am happy with that, too.

Mr JENNINGS (South Eastern Metropolitan) — In light of that, in a previous answer to the committee the minister indicated that he would be advertising for interested stakeholders as individuals with a body of knowledge and expertise. He also mentioned that he would be making groups aware of this. Is there any indication that some members of the council may be there as representatives of any groups?

Hon. D. M. DAVIS (Minister for Health) — It is not the intention that people would be there as representatives; rather, they would be there to act in the interests of the community and to help discharge the objects of those activities in terms of innovation and reform. The focus would not be as a representative; it would be to assist with advice.

Mr JENNINGS (South Eastern Metropolitan) — Whilst it may not be a focus of their work to be representatives of any groups, is it the minister's expectation that there may be appointments made to the council where the organisations the individuals work for or are associated with view their membership of the council as representing those organisations?

Hon. D. M. DAVIS (Minister for Health) — I think my point is pretty clear. I would hope that people on the council would see their focus as giving advice in the broader interest and bringing their knowledge and capacities to bear with, in a sense, learned advice.

Mr JENNINGS (South Eastern Metropolitan) — I would encourage the minister to make those appointments on that basis — and I hope he does — rather than the council being seen as a body made up of representatives of various stakeholders within the professions. The minister's supporters in this debate

have indicated that innovation may not be best driven by vested interests and that the knowledge base and discipline of the council itself may be eroded by a representative structure, so if that is where it is going to end up then I encourage the minister to make the appointments accordingly.

Hon. D. M. DAVIS (Minister for Health) — I accept that and I appreciate Mr Jennings's point.

Mr JENNINGS (South Eastern Metropolitan) — I want to provide the minister with the opportunity to share with the committee — in accord with the contribution of Ms Crozier, who indicated the range of professions and the knowledge base of people within the health sector who may make a contribution to the council — his view about whether she was on the money about the types of people who may be appropriate to be on the council.

Hon. D. M. DAVIS (Minister for Health) — I did not hear that part of Ms Crozier's contribution. I heard much of it and I heard many of the contributions, but I did not hear that exact portion. My intention is that I would not want to be prescriptive at this point. I would want to see the range of people who come forward in response to a public process.

Mr JENNINGS (South Eastern Metropolitan) — Would the minister envisage that through this process all appointments to the council would warrant his personal scrutiny in terms of interviewing prospective candidates to complete the full range of the council?

Hon. D. M. DAVIS (Minister for Health) — I am not intending to interview the council members myself, but I would seek to have a selection panel interview people who apply. It would be a normal process that would operate. Recommendations would then come forward, and they would be people of merit and capacity. As I said, it would be a process that had followed an advertisement. In that sense it would be a public process to enable people of the widest variety to apply.

Mr JENNINGS (South Eastern Metropolitan) — I am interested to know whether the minister is starting this process with an idea of any individuals who work in the health sector who may be appropriate to join the council and, in particular, whether he has already formed a view of who could chair the council.

Hon. D. M. DAVIS (Minister for Health) — No, I have taken no particular view. Obviously I have met many people in the health sector, many of whom I have a high opinion of, but I would not want to seek to prejudice the process. I want to see who comes forward

in response to a public process, and the purpose of that is to see people of the widest variety and capacity.

Mr JENNINGS (South Eastern Metropolitan) — I am sorry for stealing Ms Hartland's thunder, but this relates to appointments. I note that the provisions within this clause provide for the Public Administration Act 2004 to apply to the members of the council in respect of being an officer of the council. Is it envisaged that public servants may be members of the council? Has the minister considered whether or not it is appropriate for public servants to be part of the council?

Hon. D. M. DAVIS (Minister for Health) — I thank the member for his question. I make the point that this section applies to the code of conduct for people on the council. Members of the public sector could apply. Again, it is not my intention to limit in some way the applications that might come forward.

Ms HARTLAND (Western Metropolitan) — I am interested in the processes of the council in terms of transparency. When will we know who has been appointed, what their backgrounds are and how the meetings will run? How will the information be reported to either the Parliament or to the public?

Hon. D. M. DAVIS (Minister for Health) — I thank Ms Hartland for her question. As I said earlier on, it was not my intention to jump ahead of the Parliament as I would see that as being disrespectful. First of all, I hope the council will be established by statute, and the process will go from there. I do not intend to wait around, as it were. I intend to move quickly with the public advertising process to bring applications forward.

In terms of how the council would operate once people are appointed, again I am not wanting to be overly prescriptive. However, a key value in driving innovation and reform is the ability to engage with industry sectors, to be prepared to listen and to have some interaction. It might be that in a new approach the Health Innovation and Reform Council is examining it would seek information through public discussion or a discussion with parts of the health community, and in doing so there may be discussion papers and arrangements of that nature. There could be a variety of forums; again, I am not wanting to be prescriptive. Essentially, the point here is that if you appoint people of good quality who are prepared to look at the public interest in this way, they will openly engage with the appropriate sectors. The task here is not about closing off information; it is the opposite — that is, ensuring that there is engagement.

Ms HARTLAND (Western Metropolitan) — Does that mean the minister guarantees that if I wanted minutes of the meetings, or if I wanted to speak to any member of this council, I would be able to do so, and that any member of the council would be able to speak publicly about the work of the council?

Hon. D. M. DAVIS (Minister for Health) — My intention would be that an engagement process would be valuable. I do not see that the task is to close that off; the task is to open it up.

Ms HARTLAND (Western Metropolitan) — I asked the minister if the minutes would be available if I asked for them, or if I would have to FOI them or call for them as documents. My question was quite specific. Will minutes be available, will we be able to have access to council members and will they be able to speak publicly about these matters?

Hon. D. M. DAVIS (Minister for Health) — In the spirit in which I am explaining the council's operation, I am trying to cover all those points. I do not see that the minutes would be difficult to obtain. The council may, from time to time, want to have a private discussion, but at the same time it might want to have a quite public engagement with the sector. The task is to engage and not to build barriers. Would you be able to speak to members of the Health Innovation and Reform Council? Absolutely. I see no difficulty in that. I think Ms Hartland can get my drift.

Ms HARTLAND (Western Metropolitan) — I am asking the minister to be quite specific and say absolutely that people will have access, because at this stage he is saying it will be possible. I wanted an explicit answer — that yes, it will be possible, or no, it will not be possible.

Hon. D. M. DAVIS (Minister for Health) — I am quite happy to assure Ms Hartland that she will be able to speak to council members and engage with them. That is a valuable point.

Ms HARTLAND (Western Metropolitan) — Will members of the council be able to speak publicly?

Hon. D. M. DAVIS (Minister for Health) — I would imagine that on many matters they would be able to.

Ms HARTLAND (Western Metropolitan) — I would like the minister to be explicit: will the members of the council be able to speak publicly about their work?

Hon. D. M. DAVIS (Minister for Health) — Yes.

Mr JENNINGS (South Eastern Metropolitan) — The question was forming in my mind, and now that I have come up with it I do not want the answer to it. I think ‘yes’ is about as good as it is ever going to get. It is just one step away then from the expectation in the contributions of Ms Crozier and Mrs Coote that this would be an open and transparent advisory body. On that basis, given that the minister has confirmed that is the case, is the minister going to read down the provision of the scope of the work being undertaken by the council to be limited by his references, or will it include issues that members initiate themselves and think are worthy of the attention of the minister and the secretary?

Hon. D. M. DAVIS (Minister for Health) — The answer to the member’s question is that information and suggestions will come from a wide variety of sources, but I imagine that the individuals on the council will be keen to bring forward their own suggestions. There will obviously be discussions. I think from time to time the minister and the secretary will seek input on a number of different points that may be significant within Victoria’s health sector.

Mr JENNINGS (South Eastern Metropolitan) — For instance, the commission may ask for matters to be looked at by the body that has been established by law but at this stage not to advise it.

Hon. D. M. DAVIS (Minister for Health) — We established the relationship between the Health Innovation and Reform Council and the commission earlier on. It will be in a position to advise the commission, but in terms of the members’ focus, advice will come from a variety of sources. The members of the council will be in a position to give advice as well.

Mr JENNINGS (South Eastern Metropolitan) — In relation to new section 134Q, which is headed ‘Functions of the council’, we have now determined that the bodies to which the council provides advice include the commission and the community, and the phrase ‘and reports to’ relates to the minister and the secretary.

Hon. D. M. DAVIS (Minister for Health) — I think new section 134Q is clear.

Mr JENNINGS (South Eastern Metropolitan) — In the way that I have just described it?

Hon. D. M. DAVIS (Minister for Health) — In the way it is written.

Mr JENNINGS (South Eastern Metropolitan) — Building on the minister’s answer and reading this

provision in conjunction with it, the minister has provided the committee with the advice that the work of the council is available to the community more generally to be able to inform other parts of the health sector. Given that it is by policy intent able to provide advice to the commission, it is able to do all those things because they are not prescribed as not being available to it by the law.

Hon. D. M. DAVIS (Minister for Health) — I think the point is clear: on many occasions the advice provided to the minister by the Health Innovation and Reform Council may be relevant more broadly.

Mr JENNINGS (South Eastern Metropolitan) — This relates to the work the committee itself undertakes. I would have originally read the law to mean that there was a narrowing down of the ability of the council to undertake these things, but the minister has talked them up during the committee stage. I would be interested to know whether under proposed section 134S the council may otherwise regulate its own procedures and whether it would then have the ability to consider matters that have not been given to it directly by the minister.

Hon. D. M. DAVIS (Minister for Health) — I am informed that the proposed section 134S relates to the powers of the reform council to do the work it is empowered to do.

Mr JENNINGS (South Eastern Metropolitan) — Given that I have already asserted in the committee stage — and the minister has not refuted it — that the council’s powers are actually broader than what they might be understood to be when the legislation is first read, then council members will probably feel unrestrained.

I invite the minister to refer to proposed section 134U, which establishes a power for the council to establish a committee that includes not only members of the council but any other person. Would the minister expect that provision to be broadly used by the council?

Hon. D. M. DAVIS (Minister for Health) — That power would be used within the purposes of the act.

Mr JENNINGS (South Eastern Metropolitan) — Does the minister mean the purposes of the act that are read down by the effect of the committee?

Hon. D. M. DAVIS (Minister for Health) — My answer to the question is: the purposes of the act.

Mr JENNINGS (South Eastern Metropolitan) — I think my point has been made.

Clause agreed to; clause 5 agreed to.

Reported to house without amendment.

Report adopted.

Third reading

Hon. D. M. DAVIS (Minister for Health) — I move:

That the bill be now read a third time.

In doing so, I thank honourable members for their contributions. It is the government's intention that the Health Innovation and Reform Council will operate in a way that is constructive and that it will be able to assist both departmental and health service groups across the state to innovate and reform the delivery of health services in the public interest.

Motion agreed to.

Read third time.

PRODUCTION OF DOCUMENTS

The Clerk — I have received a letter dated 24 May from the Attorney-General seeking documents relating to the Australian Grand Prix.

Letter at page 65.

BUDGET PAPERS 2011–12

Hon. D. M. DAVIS (Minister for Health) — I move:

That the Council take note of the budget papers 2011–12.

Mr LENDERS (Southern Metropolitan) — I rise to speak on the debate regarding taking note of the budget papers. I do so with mixed feelings. In the last sitting week we saw two key speeches on the budget presented in the Legislative Assembly, one from the Treasurer, Mr Wells, which in itself was a reasonable speech on the budget except that, amongst other things, it did not mention the word 'jobs' even once. The other was a speech from the shadow Treasurer, Mr Holding, which gave a great critique of what the budget was and what it was not and outlined very succinctly that there was little vision in the budget: there was a litany of broken promises, lots of spin and, in the end, the solution going forward for Victoria to get productivity up and running was to refer this issue to the Victorian Competition and Efficiency Commission, a Labor-appointed body of

Labor appointees set up by a Labor treasurer. That was the answer for productivity going forward.

I will in my own words describe the budget as I see it, touching on some of the areas within my own shadow portfolio on which the budget is remarkably silent. In opening up on what the state budget really means, we see 1007 pages of documents spread over five booklets. It is interesting when you look through it. As I read through the 1007 pages, I could actually see in many of the clauses the face of the Treasury official who would have written them. It is quite amazing how many of those things went straight through to the keeper, and that is fair enough — a lot of it is very good stuff. However, it is interesting when you look through this — when you have gone through budgets for a number of years — because you can see the author of some things and you can see the other things that have just come in out of nowhere, which are clearly insertions that have come in from the government. It is its right to do so as the elected government, but it is interesting when you go through those documents and see some of those things.

As I mentioned before, and as my colleague Tim Holding said in his address, one of the most damning features of this is that in the Treasurer's speech the word 'jobs' was not mentioned once. It is interesting, because Labor went to the election with a plan to create 300 000 jobs. In New South Wales, Barry O'Farrell went into the election with a plan to create jobs. What we saw from the current government was a lot of rhetoric about supporting agriculture and manufacturing — two very worthwhile objectives — but no targets and not a lot of substance to do anything to create jobs. If the government does not have a plan to create jobs, it is not going to happen. If we look at where Victoria's jobs have come from over the last 15 years or more — and I say deliberately 15 years or more because I go not just through the Bracks and Brumby governments, I go back to the Kennett government as well — we see that Victorian governments have had targets for jobs and visions of industries that can actually grow.

If you look at where growth has been in the 21st century in the jobs area, you see it has been overwhelmingly in the service economy. Whether that be in international education, in ICT, in financial services or in innovation in great projects like the Australian synchrotron and the research and development that is leveraged off that, these are the things that create jobs in Victoria. What we see in this document is a prediction that economic growth will drop from 3 per cent to 2.75 per cent, but there is no action to affect that, no action to try to address how you

can boost the economy and boost jobs. The central thing in the 1007 pages of these budget papers is that there is not a lot of vision there for how you go forward and create jobs.

The second thing I notice in the budget papers is what I would perhaps call fiscal negligence, perhaps fiscal ineptitude, in relation to how close to the line the government is skating with its budget surplus. A surplus of \$140 million in the first year, averaging \$164 million over the forward estimates, sounds like a reasonable amount of money; however, in terms of a budget of close to \$50 billion you are talking about 0.25 per cent. So the risk for the government is that, if its calculations are wrong — and we have seen a whole lot of estimates as to what can happen if the economy grows 1 per cent faster or slower or inflation is 1 per cent higher or lower, all those sorts of variables that are put into the budget papers on estimates — it is skating very close to the surface.

Many economists would argue that whether or not your budget is in surplus is academic. I would disagree with that view, but it is interesting that both sides of politics have nailed their colours firmly to the mast, saying that governments must operate their budgets in surplus. It is interesting, given that in the depths of the financial crisis the only jurisdiction in Australasia that predicted budget surpluses for the four years going forward was this state of Victoria — how narrow and thin the line of the budget surplus is. That is an extraordinary challenge for the Baillieu government, because if it gets this wrong it will do enormous damage to Victoria's reputation. I hope it can manage to maintain that surplus, but it is worth noting that it is a very skinny surplus.

I will flag for Mr Rich-Phillips that I will be asking him some of these questions when we get to the committee stage, but one feature of the surplus is how artificial, how contrived, it is. I will use a couple of examples of why it is contrived. It is interesting to see at page 12 of budget paper 2 the feeble narrative in relation to Victoria having deferred drawing dividends of the metropolitan water authorities until the financial year that this budget starts, rather than drawing them in the current financial year, because of uncertainty as to the size of the dividends. There is uncertainty as to the size of the dividends, so you defer taking \$180 million out of the water authorities from the current financial year to the one this budget covers. You look at it and you think: isn't that interesting?

The budget is forecast to be \$140 million in surplus, and why? It is because \$180 million out of the current financial year's surplus, the Labor surplus, has been

deferred to the next financial year. Miraculously that \$180 million actually puts the budget from \$40 million in deficit to \$140 million in surplus.

I completely understand that there is discretion as to when governments take dividends — there is nothing new about that — but I find it interesting that this is what the Treasurer, Mr Wells, has done. I find it particularly interesting that this is exactly what he alluded to and that he was critical of previous governments in terms of whether they might or might not have done this. However, the feeble fig leaf with which he covers it is the uncertainty.

The only uncertainty for the metropolitan water authorities, in this era of high water intake and water restrictions going up, is not whether or not there will be a surplus, but whether or not the surplus will be bigger than what was forecast during times of drought. There is no excuse whatsoever for delaying that surplus other than a particularly feeble effort to protect the surplus in Mr Wells's first budget, which would not be there if he had not deferred \$180 million of water dividends from the last financial year to the current financial year.

The second thing that I find amazing about the debate on this surplus is that we saw an enormous amount — biblical proportions — of chest beating, renting of cloth and sackcloth and ashes, and we heard all the wailing from the government over the \$500 million-plus of flood relief money that it said was being delayed until the next financial year. Imagine if the federal government had paid that money. Last year's surplus would have been \$550 million higher and this year's surplus would have been another \$500 million less. Despite Mr Wells lamenting and carrying on, of course it was just another contrivance to get his budget into surplus. I wish him well on getting the budget into surplus — it adds to the esteem of the state — but it would be nice to have just a tad of consistency from Mr Wells and his team.

On the issue of consistency, I turn now to rising debt — and I look forward to speaking to Mr Rich-Phillips about this in the committee stage. I can recall that when the budget papers going forward showed any increase in Victorian borrowings those opposite went bonkers, to use a technical term. They would go on and on about how their grandchildren's future was being jeopardised and that it was the ultimate measure of how you should judge anybody's ability to govern. It went on and on after the last four budgets, when Victoria invested in more infrastructure expenditure. The fact that most of that came from either depreciation or budget surpluses was irrelevant, as was the fact that during the global

financial crisis there was borrowing to bring forward infrastructure. The opposition went berserk.

What is the first thing we see about Mr Wells's first budget? Do we see debt coming down? No. Do we see the continuation of the Labor plan to bring down debt in the fourth year of the forward estimates, both as a percentage of the economy and in actual dollar terms? No. What we see is that debt goes up. I am not arguing that there is anything grossly irresponsible about moderate borrowings by a state government in Victoria. As this house has heard me say before, in 1958, the year I was born, state debt as a percentage of the economy under Sir Henry Bolte was 58 per cent. When we left office, debt was 2.5 per cent of the economy — and less than the 2.9 per cent that we inherited from the Kennett government.

I am not arguing that debt per se is irresponsible. What I am alluding to is the gross hypocrisy of Mr Wells and the entire government, whose members wailed endlessly about the irresponsibility of Labor borrowing for capital works. What they have done in this particular budget is boost the debt. The *Age* summed it up in its headline as virtually 'Wells's budget — debt doubles'.

I would say to Mr Ondarchie, who likes to talk about what people are saying up and down Collins Street, that if there is any comment up and down Collins Street, it is how well Mr Wells has backflipped and boosted debt. If he had boosted debt because there was a great vision for Victoria or if he was investing in infrastructure for the years going forward, people probably would have said, 'That's actually a prudent thing to do. As long as you can manage your repayments and you are actually getting an intergenerational transfer of assets going forward, debt's not a bad thing'.

What we see from Mr Wells is a nothing budget of which the hallmark is doubling debt, and the feeble excuse that he has used is that at the end of the forward estimates period debt as a percentage of gross state product aspirationally might come down. The budget he inherited, as in the pre-election budget update that went out before the election, showed debt in percentage terms and actual dollar terms coming down by the end of the forward estimates. What do you get after five months of a conservative government? You get debt doubling. For Mr Ondarchie's information, the last conservative I saw doing that was a guy called Juan Perón — and look what happened to him.

We talk about rising debt. If there was an infrastructure program that was building for the future, our

community would probably congratulate the government on that. What we are seeing, of course, is no particular vision. What is going on is a mishmash, but under Mr Wells debt is doubling — and that is what the *Age* newspaper has said.

The next commentary on the budget is about the GST and how woeful it is that somehow or other Wayne Swan, the federal Treasurer, is responsible for Victoria's budget situation because the GST revenue has changed. It is interesting that the GST has actually gone up in this budget from the previous budget. Yes, it is less than was in the forward estimates, because the commonwealth has done a revision. Probably two-thirds of that has been on the basis of how the grants commission has calculated the pool and one-third on the basis that the pool is actually smaller because the economy has not grown as fast as was forecast, which is not surprising because there were a series of natural disasters.

What we see from Mr Wells and his government is that they have to somehow or other blame federal Labor for the fact that they cannot do all the things they promised to do. They say there is not enough GST revenue. It is fascinating that right through budget papers 2 and 5 we see the line offsets for GST again and again. We do not see anything, of course, about the fact that just a week ago Mr Barnett in Western Australia slapped on \$2 billion of royalty revenue. Given the way the grants commission works, a quarter of that will end up in Victoria. We do not suddenly see Mr Wells putting out a press release saying, 'Goodness, Victoria's picked up some GST revenue' because of this. No. It is just spin and blame.

On every promise that Mr Wells has made and broken he will use the GST as an excuse. Of course before his budget is even put to a vote in the Legislative Assembly, he will have seen an increase in the GST, thanks to his Liberal colleague in Western Australia whacking a big tax on royalties that his party has railed against as inappropriate because the mining industry might go broke. We do not hear a boo about what that will do to GST revenue. We do not hear any analytical or logical debate other than the Treasurer puffing up his chest and rushing off to Canberra to demand of federal Labor that it somehow or other fix the problem. Where has the GST revenue gone to? It has gone to New South Wales and Western Australia. Mr Wells will not stand up to his Liberal colleagues but will try to blame federal Labor for his budgeting problems.

GST revenue goes up and down. What we have seen here is classic spin to blame someone else for the fact that this Liberal-Nationals government overpromised. I

get that. It did not think it was going to be elected, so it promised everything to everybody. Now that it is actually facing the consequences, it is trying to blame others for the GST revenue.

We see that there is no plan for jobs. What we see is just fiscal ineptitude, with the government skating on thin ice. We see debt rising and the rank hypocrisy of Mr Wells demanding to see charts in budget papers over the years, showing how debt will be coming down. In his first budget he ratchets up debt, for no particular purpose. The hallmark is that the government has slashed education infrastructure by about 60 per cent compared to what it was in the forward estimates. Where it is going to is anybody's guess, but suddenly we see all this happening, with the blame on the GST.

Probably the most significant thing about this budget, though, is what it does not say. We know that the coalition had an election promise to find \$1.6 billion of savings. That is a legitimate thing. Every government has savings of some modest form as it goes into budgets. It is appropriate management on the government's part for it to review what it is doing and to look at lapsing programs and find savings. The magnitude of the \$1.6 billion is greater than we have seen for a long time, but the principle of finding savings is absolutely legitimate.

You would expect that, in the interests of an open, transparent and accountable government, it might at least show the courtesy to its community of specifying where the savings will come from. The budget is remarkably silent on the savings. Not just that, but above and beyond the savings that were mentioned during the election campaign by Mr Clark, the then shadow finance minister and now the Attorney-General, we see another \$600 million is coming out of departmental budgets to deal with this fabricated GST shortfall. Every person in Treasury knows, and I am sure Mr Wells, Mr Clark and Mr Rich-Phillips know, that GST is recalculated by the commonwealth periodically, depending on the strength of economic growth and other grants commission issues.

Suddenly we have \$2.2 billion in savings, and of course it is not specified where those savings are coming from. If you look at a leopard, you see its spots. We know where these savings will come from. There is form with conservative governments on where savings come from. They will inevitably come from the future, they will inevitably come from the most vulnerable in our community and they will inevitably come from regional Victoria and the northern and western suburbs of Melbourne — because that is always where savings

come from under conservative governments. If you are vulnerable — tough. If you are in a Labor area — tough. And if you are in a safe Nationals area — tough. Because that is where the savings always come from, and there is form, both federal and state, on where that money goes.

We also see in the budget papers, for example, that public service job funding is down \$500 million on what was forecast in the pre-election budget update, and where that has gone is unspecified. Of course the coalition says it will maintain jobs. During the election campaign, whenever there was any talk members of the coalition always said, 'No, we are not going to sack anybody, we are not going to remove anybody and we are not going to put redundancies in place. Whatever Labor does, we will match it and we will do more'. Again, that is the sort of economic record that Juan Perón was famous for. You would not have thought a Victorian coalition government would get away with that, but that is exactly the Perónist mentality we saw from those opposite.

We will see how they get this budget to balance in the end, but we are beginning to see where the balancing of the budget is going to come from. Ninety-six thousand Victorian families are losing their School Start bonus of \$300 per family. In public policy terms, if the coalition wishes to argue that middle-class welfare is not a good thing and you should target that resource more to people on an education maintenance allowance or whatever, that is a legitimate policy debate to have. But in the election campaign Mr Baillieu, now the Premier, and Mr Dixon, now the Minister for Education, solemnly said that none of this would change. What does the first budget of a conservative government do? It takes away \$300 at a critical school starting time when families are sending their kids to prep or year 7. If families are worried about cost of living pressures, \$300 is a lot of money.

In this first budget, in the dead of the night, by stealth and with no fanfare and no media announcement — the spin doctors are in hiding — we suddenly see that \$300 per family for 96 000 families has gone. I ask those opposite who talk about pressures on families to think. How can you wander around anywhere in my electorate of Southern Metropolitan Region — through the streets of Prahran, the streets of Burwood or the streets of Bentleigh, just to name three suburbs — and say that in those particular suburbs parents are facing cost of living pressures at a time when they are sending their kids to school, kids who are in prep or year 7, and they are looking at uniforms and books and talking of levies and all those sorts of things, but the government is taking \$300 out of their pockets?

We had a families statement presented in this Parliament by this government which talked about families and cost of living pressures, and what did its first budget do? To the families in Prahran, Bentleigh and Burwood it said, ‘Okay, we will take that \$300 from you; you do not need it’. If government members had said that before the election, people would have respected them for it. But no, it was a broken promise and a slap in the face for families. They think they can hide behind the spin and take \$300 from those families.

We also see that the apprenticeship bonus has been scrapped from July. I know those opposite will say, ‘It was a lapsing program; there was nothing in the forward estimates for it’. Let us have a wake-up call for the Liberal and Nationals parties. A budget represents the decisions of a current government to put its priorities in place for what it thinks is important going forward, and it presents it to the Parliament so it cannot sit there in cowards castle and say, ‘My goodness, the previous government did not do this’. It makes choices in every budget, and every budget has lapsing programs that go forward — of course it does; that is logical. Some things change. We had a thing called the Y2K; of course those programs lapsed once we got past 1 January 2000. Programs deal with floods and fires, and of course those programs lapse when a national disaster has been dealt with. Some programs deal with a range of issues, and lapsing programs have been part of Victorian budgets since goodness knows when — certainly since accrual accounting came in, if not earlier.

Members of the opposition bleat. Anything they are not prepared to make a priority they blame on Labor, saying, ‘It was a lapsing program’. If members of the government are so ignorant about how a budget works, they should hang their heads in shame. As I said earlier, this government got rid of the apprenticeship bonus; it will be scrapped from July. This government, with a budget of close to \$50 billion, has decided that it is not a priority to help families with children in prep and year 7, and it is not a priority to have an apprenticeship completion bonus. It is its choice as a government to say those things are not priorities. Government members can blame whoever they like, but they have made choices and their choice has been to say that these initiatives are not a priority.

Talking of broken promises, I cannot let pass in a reply to this budget the opportunity to refer to the unbelievable spin about teachers being paid the highest wages in Australia. When I was education minister, four years ago, I remember Mr Hall in this place and various Liberal members in the other place going on about how, if they were in government, they would

make teachers the highest paid in Australia and how they would make maths and science teachers the highest paid in Australia — they would do that because they had support and an affinity with teachers. Good on them! If they want to make teachers the highest paid in Australia, I say good on them. It is a good policy initiative to have.

However, it was absolute hypocrisy and deception to go out there and make that promise when they knew it was not deliverable. How on earth could any responsible government go into an enterprise bargaining agreement negotiation saying before they even started, ‘You are going to be the highest paid teachers in the country’? That is the starting point. Teachers knew this was hypocrisy and a cruel, cynical hoax. What did we see? Cowards castle. The day this government was elected Mr Baillieu and Mr Dixon in the Assembly and Mr Hall in this place said, ‘We will honour every election commitment’. They made that comment in both houses, but of course within nanoseconds they started spinning and trying to wriggle out of that commitment.

What do we see? In these forward estimates we see a provision for a 2.5 per cent wage increase for teachers. Those opposite will undoubtedly blame Labor for it because it was not a provision in the forward estimates — I am sure we will hear that. We will be told that that is not how you do things; you go out there and you negotiate. We will hear all that sort of spin, cant and hypocrisy. But the long and the short of it is that this government went to Victoria’s 40 000-plus teachers in government schools, and by implication the 20 000-plus teachers in non-government schools, and because the Australian Education Union enterprise bargaining agreement flows on from the Victorian Independent Education Union agreement as a matter of course, as it has in the last number of agreements, the government promised 60 000-plus Victorian teachers that they would be the highest paid teachers in Australia.

Those teacher unions and teachers knew that if they were to become the highest paid teachers in Australia, it would mean an 8 per cent increase in wages, but the first act of this cynical and deceptive government was to say, ‘No, we didn’t mean that. That was just aspirational. Of course teachers can get that pay rise, provided we negotiate’. If that is the way you get an 8 per cent pay rise, that means in a class of 26 students you will have to put 2 more students in the class if you fund that out of productivity by class size. This government is saying that teachers can negotiate; they need to be more productive. But if you want to fund an 8 per cent pay rise, it is basically two more students in

every primary school class. If that is what this government is saying, it should have said it. It would be legitimate to say it if the government had said to teachers, 'We will give you an 8 per cent pay rise, but there are going to be bigger classes'. But no, the government said, 'Nothing is going to change. Everything good under Labor is going to remain, but we will offer you more'. In a way that would make Juan and Eva Perón blush and the government continues to promise more.

I am a great fan of the musical *Evita*, and those who have seen it would know there is a great song called *And the Money Kept Rolling In* sung as Eva Perón goes through Argentina on a train throwing money at people. That is exactly what Mr Baillieu and Mr Wells did: they were on their Eva Perón train throwing money at anyone who would move and thinking somehow or other that was sustainable. Now they are being held accountable. They cannot deliver all those Eva Perón promises because the money does not keep rolling in and you have to get it from somewhere. So far in their first budget they have doubled debt, and they still have a few major issues to deal with.

They said firefighters, police, teachers, nurses, public servants — —

Ms Pulford — SACS (social and community services) workers.

Mr LENDERS — That is right. For SACS workers — community workers — Labor said it would fund any Fair Work Australia increase to the state government's portion for low-income workers in the SACS sector, and straightaway the Minister for Mental Health, Mary Wooldridge, said, 'We will do the same'. Now the caveats are suddenly starting to come in. If this conservative government were genuine, it would have said, 'These things are not affordable'. But, no; à la Eva Perón, Ted Baillieu was on the train throwing his pesos out into the wind, promising everything to everybody, and now he is suddenly being held accountable and looking for people to blame.

When you have a wages policy capped at 2.5 per cent you cannot deliver higher wages for police, teachers, nurses or others without savage productivity. The day I heard Kim Wells talking about 'real bankable productivity' I could see four or five Treasury officials thinking he was the only person on the planet they had ever heard use those words before. Their faces came into my vision, and I thought, 'Kim Wells is listening to Treasury, which is probably good, but it is a pity he did not listen to them and present his costings to them before the election, because he might even have been

able to afford to do some things then'. We had the Eva Perón train going out promising all things to all people, and now the government is trying to spin its way into some sort of savings for what it has done.

Turning to promises that were not delivered, we have no new country train carriages. I remember that when Labor promised the regional fast rail project in 1999 it was mocked by those opposite. As soon as the regional fast rail project came in it was not fast enough or big enough. We now have a great service delivered to regional Victoria. Those opposite said, 'Do more', but what have they got? Seven new Alstom trains are provided for in the Victorian transport plan. There are no new country train carriages.

There is nothing about the second promised hospital in Geelong. I recall during the election campaign when Labor was upgrading land for the second hospital at Armstrong Creek we heard an enormous amount of noise from Geelong. There is no mention in the budget now; it is remarkably silent. That Eva Perón of the train, Kim Wells, was throwing money out as it went through Geelong, but all of a sudden he has gone into the bunker. There is no money for the second hospital in Geelong.

There is nothing in the budget for the promised hospitals in Kilmore, Seymour and Castlemaine. I see that Mrs Petrovich has left the chamber — she has probably thanked the Greens for their preferences once today and now she has gone. But where was she? She was banging on in this house about Ben Hardman, the former member for Seymour in the Assembly, not doing enough in these towns for four years. So what happens in the first budget? Again, the Eva Perón train has gone. It has gone through Kilmore, Seymour and Castlemaine, and none of the money — —

Ms Pulford — A fantastic place, Castlemaine.

Mr LENDERS — That is right, Ms Pulford. I remember Jaala McDonald from Castlemaine from many years ago; she is a great Victorian who is a great country member. If I recall correctly, the Eva Perón train also went past Ballarat where a helipad and radiotherapy were talked about for the south-west coast. I have not read the 1007 pages of the budget papers properly, but I think it was a cruel hoax when the train went past these towns. What we are seeing are promises not being delivered.

I would argue that the need for infrastructure is the reason why governments can legitimately borrow for infrastructure for the future. As a former education minister one of the things that I lament is to see what

has happened to education capital works in this budget. What we see is the lowest funding for capital works since the last Liberal government, but that is probably not a surprise because we have a Liberal government that does not particularly care about funding school infrastructure. We see \$208 million funding for school capital projects, which is a low figure. The election promise was to rebuild or build 36 schools, and that has been put off to future years. Where are these 36 schools being built? They are being built in marginal seats.

One of the things that is disappointing about this is that the lion's share of this has been in — —

Mr Barber — Their marginals or your marginals?

Mr LENDERS — Marginal coalition-promised seats. Under Labor the lion's share of education, if you look historically at where it is, is in the small rural schools and the schools in the northern and western suburbs.

I take up Mr Barber's interjection; it is not marginal seats. The key educational reform of regeneration projects in schools was Broadmeadows, and whatever happened in Broadmeadows or whatever people say about Broadmeadows, it was the safest Labor seat in Victoria when those decisions were made. The issues that were being addressed where education was being channelled were in places like Broadmeadows and Altona, where the need was strong. That is where school funding was targeted.

It was targeted at Toora in Mr Viney's and Mr Scheffer's electorate. The tiny rural town that I went to as education minister had had a school for 160 years, if my memory is correct. It was originally a mechanics institute building dragged on a bullock dray and converted with portable classroom after portable classroom, and with lean-to and temporary facilities. Under Labor that was a \$2 million project to completely rebuild that school. That was where education was focused — on building in areas that had been neglected for so long, because on both sides of politics the focus had been on marginal seats.

What we see coming back now is not an education system based on need, but an education system based on whether marginal seat promises were made. My colleague Ms Mikakos raised the issue with the Minister for Housing, Ms Lovell, in question time in the last sitting week. The lion's share of, for example, kindergarten funding is in the electorate of South Barwon — all in one electorate. Good on the people of South Barwon, but it is not good policy that it all goes

to a single electorate because it is a marginal seat. It is hardly governing for the whole state.

We are also seeing that schools that are halfway through their redevelopment projects now have no hope of capital funding in this term; 20 per cent of the funding for police upgrades is not being delivered; and the promise of the early funding for the Bendigo and Box Hill hospitals has been broken, with these projects now unlikely to be finished during this term. We sat in this place and heard the current health minister ranting and raving with cant and hypocrisy about the Bendigo and Box Hill hospitals and how they would be bigger and better under the coalition — 'It wasn't enough' and all the rest of it; he was on his Eva Perón train rushing past and throwing money at them — but now as soon as he is in government these projects have been slowed down. They are not having delivered what they were promised, and so these communities will have to wait for longer and longer.

What does the health minister spend his time doing? He is trying to find people to blame. At the moment he is having enormous fun. One day he is saying what a fantastic deal he has cut with the federal government — 'Aren't I smart?' — and the next day suddenly the federal government is to blame because he does not have the money he needs. That is all very disappointing, but that is what is happening.

The other feature of this government in regard to this budget is what it is still looking into. It has got it down to an art form. There is funding for six planning studies for rail lines, but no money for a single kilometre of new track. Deputy President, you might say I am cynical, but I will share this with the house. I was born on 1 October 1958. Do you know what happened on the day before I was born, 30 September 1958? The Premier at the time, Henry Bolte, announced a rail station for Monash University. And guess what Mr Baillieu, Mr Mulder and Mr Wells told us before the election. They said we were going to get a railway station at Monash University. They are going to look into it! They are going to do a feasibility study into a Rowville line.

The only difference between what Henry Bolte said and what is being said now is that it was going to be the Ferntree Gully to Oakleigh line that was going to stop at Monash University, and now it is the Rowville line that will stop at Monash University. What has changed in my lifetime? What has changed is that the current Liberal promise, which the government has no intention of delivering, is still to have a railway station at Monash University, which it has not delivered in 52 years, but rather than being on the Ferntree Gully to Oakleigh

line, it will be on the Rowville to Huntingdale line. I will give the government credit: at least it has found a reason to do another feasibility study on a project that has been promised during most election campaigns since 1958.

To anyone who thinks there is any credibility in these feasibility and planning studies I say it is a cruel hoax on Victorian citizens because there is no capacity to fund the projects. The government has already doubled state debt; now it is talking of these huge infrastructure projects that will come to the budget table next year. Government members will suddenly look at them and ask, ‘Gosh, how are we going to fund these multibillion-dollar projects?’ Already we are seeing projects under this government blow out. The cost of the feasibility study for Flinders Street station — the Premier’s golden gift for Victoria — has blown out, and the funding for protective services officers has blown out. We have already seen that these people cannot manage to save themselves.

We have also seen \$16 million allocated for preliminary works on removing metro level crossings; that is a fraction of the \$370 million that had been promised. Guess what: not even Eva Perón would have been as embarrassed as this government is to have promised so much knowing that it could not be delivered. The classic case is that we had an \$8.5 million promise for planning for the Monash children’s hospital, and the project has now been put back to 2018. I recall that when the then Premier and health minister announced this great project for the south-eastern suburbs — two of my children were born there, so I think the Monash children’s centre is a great place — straightaway Mr Baillieu said, ‘We’ll do it, too!’. Of course what is the first thing the coalition members did? With the first budget, by stealth, they hid it and then did a backflip to try to save themselves the embarrassment. There is no decision on smart meters or the wholesale vegetable markets; there is no decision on the fire services levy.

We had seven years of the Kennett-McNamara government when The Nationals said they were going to do something, but did not. Then we had 11 years of our government — and we had a plan. We had a plan following the royal commission. A green paper went out and then a white paper, which was signed off by every stakeholder, including the farmers federation, as a way forward, by the end of February this year, to get the thing in place by 1 July next year. The first act of the Baillieu government was to let it drift for a year. I wish it well in getting it addressed. A year later is better than not doing it. But it is amazing. It was such a signature piece, by The Nationals in particular, that this

had to be fixed, and the first act of The Nationals co-Premier is to delay it for a year. The co-Premier thinks he can run the known universe, but the one major project he has got to run — the fire services levy — has already been delayed for a year.

If I look at my own portfolio I see an interesting area — agriculture, a cornerstone for The Nationals. The only new money in agriculture is \$4 million for smoke tainting of grapes. That is good; I welcome the initiative. If at Irymple some species of grapes that are less susceptible to smoke tainting can start being produced and therefore the industry can be kept going, I wish it well. But I find it interesting that when, at the Public Accounts and Estimates Committee, my colleague Mr Pakula asked the agriculture minister about this area and whether there was any connection between Department of Sustainability and Environment back-burning and the tainting of grapes, he said it was not a big issue. I suggest that he go to the Pyrenees, start talking to some winegrowers and ask them whether they think it is a big issue. It is also interesting that the Minister for Agriculture and Food Security, Mr Walsh, acknowledged that feral cats and fruit bats were a big problem in the Dandenong Ranges, but he admitted that he failed to provide any money to deal with these species that are causing enormous grief to farmers. But I guess they are farmers near Melbourne, not up in the Murray Valley, so he probably does not particularly care.

I will touch base on water. We are seeing an amazing issue with water going forward. In this budget we see that there are no new water initiatives; despite the coalition demanding extra dams, there are no new water initiatives. What we also see is that \$180 million is being taken out of dividends of the Melbourne water authorities — that is fine; governments always take them out — but that there is no return to 4 million Victorians, who are worried about rising water prices, out of water coming through the north–south pipeline. Those opposite carry on a lot about this and say they do not believe in the north–south pipeline, but any logic would say that northern Victoria is awash with water — Dartmouth dam is well on the way to being full; Eildon weir is now 84 per cent full, the last time I looked; the Hume weir is over 90 per cent full; and there are parts in the lower Murray or down in Sunraysia where people wish the water would go away because it is still bothering them — but will this government turn on the pipe and put water into the dams in Melbourne rather than when it is needed in a drought? The answer is no.

Sitting suspended 6.30 p.m. until 8.02 p.m.

Mr LENDERS — As I was saying before the dinner break, this budget is a great disappointment. It is a budget of spin and blame, and it is one that has no plan for jobs, is fiscally inept, doubles the state debt and tries to blame others. There is the GST, the cuts to services, the many promises not delivered on, the cuts to infrastructure and excuse after excuse, survey after survey, to explain the government's having not acted.

I would like to touch on the water portfolio going forward. It is interesting to note that before the election Mr Walsh, when he was shadow minister for country water resources, and Mr Baillieu were very critical of there not being more dams built in Victoria. This budget does not build a dam. When we are talking about water it is interesting to note the enormous energy spent by the government to discredit the desalination plant. I understand the politics of that; it rained and they sought to do it.

However, what I would say — and I am glad Mr Rich-Phillips is in the chamber now — is that when they were in opposition they made a great deal out of the difference between nominal and real value in a desalination plant. I noticed in the Legislative Assembly today that Mr McIntosh, the Minister for Corrections, was talking about keeping the options open as to whether a prison becomes a public-private partnership or a government build, and I would say to Mr Rich-Phillips that he needs to be careful what he wishes for. If that is the test that has been set for the cost of a project, I imagine the current government, despite all the spin efforts of Josephine Cafagna, will struggle to get itself out of the hole it has dug over the desal plant. If that is how a public-private partnership is described, we may never see any more in Victoria unless those opposite have absolutely no shame.

Looking at water, what we have seen in Victoria is that the people of Melbourne — the 4 million Melburnians and people of Geelong and south and west Gippsland — have ultimately paid \$300 million towards rights to water in a food bowl modernisation project, and in addition they have paid \$180 million in water dividends this year. What we are seeing from this government and this minister is absolutely no regard for the rights those people have purchased. Under different circumstances this would generate some fairly derogatory terms.

Melburnians will see their water prices rise, because the 75 billion litres of water per year that has been paid for in full will not come to Melbourne. The promise from Mr Walsh is that in the case of a severe drought, we will draw on the pipe. The reality, I imagine, is that in times of severe drought there will not be a great deal of

willingness in northern Victoria to yield the water that Melbourne has paid for. However, at the moment there is capacity for 75 billion litres of water in Cardinia, so the pipe could be turned on. Melbourne's dams, which are 46 per cent empty, could be filled. This government has released a family statement, and it says it is concerned about cost of living increases for families, but it is condemning a generation of families — 4 million Victorians — to higher water prices than are necessary.

As I said in my opening remarks, one of the disappointments of this budget is its lack of vision for the state of Victoria. It provides no direction for where Victoria wants to go. This budget was an anti-Labor campaign, and it was a campaign of micro-promises rather than a vision for the state. In the Kennett years, the Bracks years and the Brumby years there was a vision for growth and bringing in jobs and new technologies. In the six weeks since the election in New South Wales we have seen more action taken by Premier Barry O'Farrell to generate jobs than we have seen in six months from Ted Baillieu and his team.

I genuinely hope that this government takes its training wheels off and actually starts to move forward to try to deliver jobs for Victoria and take action. What we have seen in this budget is a hotchpotch of bits and pieces, but no plan to bring jobs to this state. We had a target of 300 000 jobs for Victoria, which exceeded all our previous jobs targets, and that is what is necessary for the next generation of Victorians.

In conclusion, the government was elected on the mantra of 'Fix the problems, build the future'. What we are seeing in this budget is that a number of minor election commitments have been honoured but many of the major ones have been totally and completely ripped up. We have seen debt double, we have seen many promises not met, particularly those about wages for public sector workers and teachers. We have seen a series of services being cut. To date we have no sign of where the savings are going to be made going forward. We also see, moving forward, very little vision for the future.

What I hope is that the government will look at its deficiencies and in the next budget try to address some of the problems that it believes need to be fixed and build a plan for the future. I look forward, in the committee stage of the appropriation bill, to the opportunity to ask Mr Rich-Phillips a series of questions pertaining to the issues that I raised in my second-reading speech. The opposition will not oppose the budget, but it is a budget that is not a plan. It is full of broken promises, spin and blame of others.

Mr ONDARCHIE (Northern Metropolitan) — I rise today to speak on the state budget. In response to the Leader of the Opposition I say, ‘Oh, Mr Lenders, Mr Lenders, Mr Lenders!’ He continually rolled out stories from the musical *Evita* and talked about Eva Perón. I have to say to the Leader of the Opposition, who had not many people in the chamber watching him — although there were probably more here than at the Labor Party state conference on the weekend — we will not cry for you, Mr Lenders; we will not cry for you. I am almost inclined to get the Minister for Health in here, because we had a bad case of amnesia on the other side. Mr Lenders did not remember what he had left this state as the former Treasurer.

What we have before us is a responsible, well-thought-out budget that is right for its time. That is something the opposition is grappling with — what a right budget for its time is. This is a budget that delivers on the coalition’s commitments in tough times, a budget that fights for Victorian families, a budget that will end the waste and a budget that will fix Labor’s messes and plug Labor’s black holes. It is a responsible budget and one that cares for Victorians.

The coalition’s 2010 election commitments set out a detailed, four-year program to strengthen the quality of life of all Victorians. These commitments are being delivered in the 2011–12 Victorian budget despite a \$4.1 billion cut to GST by the Gillard government and a series of financial black holes, totalling \$2 billion, left by the former Labor government. Mr Lenders was looking for approval from Collins Street; that is long gone. He needs to come clean with Victorians. He said he had a plan. That was the former Labor government: it always was gonna deliver something — gonna, gonna, gonna — and we never saw it. In my electorate of Northern Metropolitan Region the people of South Morang had been waiting nearly 12 years for a train station that was promised in 1999. The former government was always gonna deliver something.

The budget funds the largest ever recruitment of Victoria Police in a single term of government. There will be 1700 police hired to protect Victorian families and make our streets safer, and the recruitment of 940 Victoria Police protective services officers to keep railway stations safe after dark. It includes a record \$13 billion in health spending in 2011–12, including new programs to improve health service delivery and drive down waiting lists and a huge capital infrastructure spending program totalling \$6 billion in 2011–12 to reverse years of neglect of infrastructure by fixing the basics. The budget also delivers on the coalition’s commitment to achieve a \$100 million surplus each year and reduce spending growth —

which has averaged 8 per cent a year over the past decade — to 3.2 per cent a year. The coalition government is proud that it is delivering on its commitments to Victorian families.

In the budget the coalition is funding a \$1.2 billion package of measures to ease cost of living pressures for Victorian families. They have had 11 years of neglect. It is time to ease the cost to those Victorian families. The budget delivers huge stamp duty cuts for first home buyers, pensioners and young farmers, and it gives relief to families with a 50 per cent cut in ambulance membership fees. It also provides \$445 million to eligible households for a year-round electricity concession and to enable water and sewerage concessions to keep pace with increasing costs, benefiting about 815 000 Victorians.

The coalition government has stood up for Victorian families by securing a better, well-negotiated health deal from Prime Minister Julia Gillard and the federal government, including more funding, greater transparency and the protection of Victoria’s country hospital boards from amalgamation. Communities and families affected by the tragic Victorian floods also continue to receive support to ensure that they can get back on their feet.

The coalition government’s budget cuts unnecessary, wasteful spending by \$2.2 billion, including savings from reductions in ministerial staff, media and marketing positions, consultants, government advertising, political opinion polling, travel, office floor space and consumables. Mr Lenders talked about spin. It is a good thing that Shane Warne has retired, because we have a new king of spin in the Leader of the Opposition. I am not sure he will get Liz Hurley in the package, but he is the new king of spin! The coalition has also terminated Labor’s wasteful plan to spend \$20 million on fairy lights for the West Gate Bridge, immediately halted taxpayer-funded party-political advertising, reduced by 40 per cent the government’s advertising spend and reduced to 25 per cent the number of taxpayer-funded ministerial advisers compared to the number employed by the previous Labor government. And members opposite talk about spin! Spin, spin, spin — it came from the previous government.

The cost pressures facing the budget were compounded by \$2 billion worth of black holes left by the former government’s mismanagement, incompetence and underfunding in relation to infrastructure projects. We could talk about them: myki, the desalination plant, the LEAP-LINK database — I am not sure which one it is — HealthSMART, the regional rail link and the West

Gate Bridge. We can just add up the list of incompetencies. And Mr Lenders stood here today criticising this budget, which is a responsible budget that cares for Victorians and is right for its time.

The coalition is determined to put every one of these projects on a responsible footing and to investigate the full risk and exposure of each project in order to mitigate further losses of taxpayer funds, instead of charging on with the projects and throwing money out like the previous government did. It would just write a cheque and hope for the best. That is irresponsible government. What we have today is a responsible government that has delivered a caring budget that is responsible and right for its time.

Labor conducted 1100 reviews during its time in office, but the reviews already completed by the coalition government have revealed that Labor's incompetence and mismanagement in government were even worse than previously thought. It is understandable that Labor is very nervous about our reviews. Its members bang on about Labor's competence. In Victoria these projects are equivalent to the federal government's set-top boxes, cash for clunkers, pink batts and solar panels.

This is a responsible and caring budget for Victorians. The coalition government has already funded Labor's black hole for health services and major capital works, including providing an IT system for the Royal Children's Hospital, which was commissioned by the previous government but did not have a computer system. We would have been back to slate and chisels if it were not for the coalition government. It addressed the obvious gap in funding for the Olivia Newton-John Cancer and Wellness Centre, a project that had entailed simply building a building and had not provided for a fit-out. This responsible, caring, loving government has stepped up for Victorians, and they are saying, 'Thank you'.

The budget, which is focused on supporting Victorians, includes a \$200 million package to support those with disabilities, their families and their carers. The budget also provides \$34 million to strengthen palliative care. In the critical area of child protection — one that was somewhat neglected by former Minister Neville in the previous government — a \$90 million budget commitment will help to transform the child protection workforce and services in Victoria and ensure better support for our most vulnerable children.

Hon. M. P. Pakula — At least she read her briefs.

Mr ONDARCHIE — A member opposite says, 'At least she read her briefs'. The former minister did not

do anything, so I am not sure which briefs he is talking about.

The coalition government will increase the front-line child protection workforce by at least 160 staff, or approximately 20 per cent — the largest ever increase in front-line child protection workers. We care about the kids.

For too long governments have set aside difficult problems in the mental health sector. The budget we have delivered will provide an additional \$88 million package to address this longstanding issue.

We have provided a record \$13 billion in spending in 2011–12, including new programs to improve health service delivery and drive down waiting lists. We have included \$448 million in the budget to initiate the coalition government's commitment to provide 800 new hospital beds, and there is a \$550 million boost to the hospital system, especially for elective surgery and emergency departments. The emergency department at the Northern Hospital has received much-needed funding of \$24.5 million to allow expansion to meet growing demand and to provide a wider range of acute hospital services, an extra 21 new treatment spaces and a further 7 cots for the special care nursery. We care about Victorians.

There are additional police officers. We have announced front-line police officers to tackle violent crime and antisocial behaviour in Victoria. The announcement of new officers will benefit many municipalities.

We have created a \$100 million new school maintenance fund and invested \$208 million in school capital works, including Hume Valley School in my region, which will receive \$9 million over the next two years to bring its facilities into the 21st century. We have funded the employment of 100 maths and science specialists.

We have dealt, and are dealing, with the impacts of the \$4 billion black hole left by the federal government, as it withdrew its GST component, and the \$2 billion black hole that Mr Lenders left for all Victorians.

What are they saying out there? What are the marketplace and electorate saying? Standard and Poor's has confirmed Victoria's AAA rating as a result of this budget. The Master Builders Association of Victoria said the budget was a boost for the building sector. Infrastructure Partnerships Australia said this was a solid and responsible budget reining in costs and delivering on promises. The Australian Industry Group said this budget is responsible and forward looking,

strong on infrastructure, strong on skills and strong on productivity.

The Real Estate Institute of Victoria has welcomed stamp duty cuts for first home buyers, pensioners and farmers. The Victorian Farmers Federation, which we have heard a lot about today, said the budget delivered major wins for farmers and rural Victorians. The Royal Automobile Club of Victoria, the bastion of both Noble Park and Bourke Street, said this budget was a good start and a good place for the government to get going from. This budget delivers, as this government has. This budget delivers on the things the coalition said it would do.

We delivered on our commitment to expand Frankston Hospital. We delivered on our commitment to an overhaul of Skilled Stadium, the place that was today the scene of quite a tribute to the late Bob Davis. One billion dollars is set to flow through the Regional Growth Fund. We have given true independence to the bushfire implementation monitor. We delivered on the Rock Eisteddfod. We are changing public holidays to give more flexibility to country Victorians. We delivered more transit police. We are giving communities a say on bottle shops. We are reducing the risk of alcohol-related harm to our children. We have honoured Victorians right across the board. We have invited the public to comment on the direct election of a Geelong mayor. We are fixing the water issues in this state.

The Country Fire Authority volunteer charter has now been enshrined in legislation. Everybody is agreed. We have delivered on everything we said we were going to do. That is despite the pain and the black holes left to us. That is despite Julia Gillard taking money away from the pockets of Victorians.

What are the people opposite saying about that? Nothing. They are silent. They are silent on the federal Labor government's ripping away of money from Victorians — absolutely silent. Mr Lenders today decided to give us a finance lesson on how the accounting process works. He mucked it up. He had better read *Hansard* tomorrow. He is still looking for support from Collins Street, but the time has come and gone.

We have found the true cost of the desalination plant. We have found the true cost of myki. This responsible government has delivered a responsible budget, a caring budget, one that is right for its time. The amateurs are still sitting opposite carping on, saying, 'How come we can't have a turn again?'. They cannot have a turn again because Victorians made the right

decision in November. It was time for the amateurs to get rid of the chequebook and hand it over to a responsible government.

I am delighted to stand up today to support the Victorian budget, because this is the future of Victoria: a responsible government led by an experienced group of people who know how to take Victoria forward.

Hon. M. P. PAKULA (Western Metropolitan) — I reckon I must have cracked a mirror, walked under a ladder and run over a black cat, because I always seem to follow Mr Ondarchie in debates, which means that I have to sit here and listen to his contributions. I have to say that he might be a shot at the front bench because that contribution sounded pretty much like half the ministerial contributions I heard at the Public Accounts and Estimates Committee (PAEC) hearings over the last two weeks: a read setpiece attack on the former government. Mr Ondarchie would not have been out of place.

I am actually fortunate in that I am able to look at the budget through a slightly different prism to most other members, because I am able to look at it through the evidence that was given by ministers at the budget estimates hearings. Those hearings are an important and vital part of the budgetary process through the holding of ministers to account for their promises and outputs in the budget and giving members of this Parliament an opportunity to question ministers about them.

Some themes emerged during the PAEC hearings which anyone who was there was not surprised to see. Apparently lapsing programs are a new initiative. I am sure that all of those who rely on funding of any sort from the state of Victoria will be delighted to know that all of the programs which are funded in the coalition's budget will apparently be funded in perpetuity, because the coalition has never heard of a lapsing program. Every lapsing program represents a black hole, and so by extension I am sure that all of these programs will be funded forever.

It seems now that it was the obligation of the previous government not just to fund programs while it was in government but also to fund programs for the entire term of this government; otherwise it will represent a black hole. It seems that putting together an expenditure review committee bid is beyond the wit of many ministers in this government. If a program lapses, they all stand around shrugging their shoulders, asking where their money went.

It is also fair to say — and we heard Mr Ondarchie quote a number of commentators on the budget — that

this budget has underwhelmed most respected political and economic commentators. I will give a few examples. George Megalogenis said in the *Australian*:

Spending is growing faster than revenue, so the surplus of \$140 million for 2011–12 will be \$90 million less than it was in 2010–11.

This must be some sort of record. A new government can't find enough savings to deliver a better bottom line than its predecessor, even though the forecasts say the economy will grow a little faster in the coming financial year and unemployment will be a little lower.

John Ferguson, also in the *Australian*, said:

Victoria's Treasurer is selling a deeply confusing and unsustainable message.

On one level, Kim Wells claims state Labor's financial legacy was full of black holes.

On the other, the Treasury has somehow managed to fund the coalition's election promises while looking on as debt soars.

Anthea Cannon, speaking about the business reaction, said:

Business has been left nonplussed by the Baillieu government's first budget, describing the failure to cut payroll tax and improve business confidence as 'uninspiring'.

Pia Akerman said this about what the budget meant for the cost of living:

The emphasis on the cost of living in the Victorian election campaign failed to bear much fruit in the Baillieu government's first budget yesterday ...

Then we had the *Age* editorial of 4 May, which states:

... Mr Wells claimed, that Victoria's finances are potentially in a dire state.

The problem with this analysis is that the government's mild reining in of spending in 2011–12 and over the forward estimates period seems to have been more than enough to pull the state back from the brink on which it was supposedly teetering.

Finally, Tim Colebatch, under the heading 'State's prayer — "make us stop living off debt — but not yet"', said:

But that it put off tackling the debt — indeed, allowed it to treble — also tells us that his rhetoric about the 'ruinous' fiscal position left by Labor is just rhetoric.

The Brumby government had serious flaws —

there is one for you, Mr Ondarchie —

but its handling of state finances was responsible, as the state's AAA credit rating testifies.

None of the respected economic and political commentators in our major dailies would concur with Mr Ondarchie's analysis of the budget.

The Public Accounts and Estimates Committee process was fascinating. There were more than 50 hours of hearings. There were numerous highlights and a lot of revelations about the budget, but I will focus on just a few of them. We had the Treasurer up first, and he talked in very serious tones about the ruinous financial situation the government was left with — as has just been quoted. He talked about the Vertigan report and everything Vertigan found, but he was unable to rebut the central proposition of his own budget, which was that the budget consigned that report to the dustbin of history. It took up absolutely none of its central recommendations. We have debt trebling over the forward estimates from \$8 billion to almost \$23 billion. It will rise not just in absolute dollar terms but as a proportion of gross state product — up to 5.9 per cent — before, in the Treasurer's own words, it will then stabilise. It is not coming down and then stabilising; it is going up and then stabilising.

We have a budget surplus which is lower than any of the surpluses delivered over the 11 years of the Labor government and which the Treasurer himself conceded will be wiped out entirely if interest rates go up by a mere 1 per cent. We have a surplus of \$140 million, which very interestingly is bolstered by a \$100 million rise in gambling taxes and fines. Those of us who were here in the last term would remember, month after month, week after week, Michael O'Brien, the then shadow Minister for Gaming, talking about how the Brumby government was addicted to gambling taxes. And what has he done in his first budget? He has increased the rate of gambling taxes by more than half the amount of the total budget surplus — \$76 million out of \$140 million.

We heard the Minister for Police and Emergency Services talk about how the former government was addicted to revenue from speeding and camera fines — and what has fines revenue done in this budget? It has grown by \$24 million over the next financial year alone, so \$100 million out of \$140 million —

Mr Ondarchie interjected.

Hon. M. P. PAKULA — I am telling you to go and read the budget papers. Gambling taxes and fines make up \$100 million out of \$140 million. A very interesting question was raised when the Minister for Gaming appeared before PAEC. I asked him just how much more Victorians would need to gamble for the government's take to be up by \$76 million. It is clearly

hundreds of millions of dollars, but the minister was not able to say. He also was not able to say how much of the \$1.03 billion that the state is planning to take next year alone in poker machine revenue will be wiped out if the federal government's mandatory precommitment regime comes in. With a budget surplus that is so skinny over the forward estimates, you would think the government would have put a bit of work into figuring out just how vulnerable that surplus is if mandatory precommitment comes in, which it very well might.

Then we had the spectacle of the Minister for Racing telling PAEC that the future of jumps racing had nothing to do with him. The Minister for Employment and Industrial Relations told PAEC that public sector enterprise bargaining had nothing to do with him. We had the minister responsible for FOI sit there literally mute and refuse to answer when he was asked about the timing of the introduction of the FOI commissioner.

Mr Ondarchie interjected.

Hon. M. P. PAKULA — That just shows what Mr Ondarchie knows. These are all matters contained in the budget. The Minister for Environment and Climate Change refused to express a view about climate change to PAEC, while the Minister for Health claimed he did not know whether or not his office contained a man-sized safe. And who could forget the Minister for Public Transport announcing not once, not twice but three times that our railway tracks dated back 77 years before white settlement? He said our railway tracks were 300 years old. I was Minister for Public Transport, and admittedly I was in the gig for only 10 months, but I must have missed that briefing.

Then we heard about the \$2 million for a study into what we learned is a possible grade separation at New Street, Brighton. I understand that the member for Brighton may have talked herself into a bit of a corner about this, but what a way to get her out of it — to have the New Street, Brighton, intersection leapfrog 100 or 200 more worthy and more dangerous crossings to provide a grade separation so that the member for Brighton and the member Sandringham no longer have to be at loggerheads.

Finally, we had the extraordinary evidence of the Minister for Crime Prevention and Minister for Corrections. The first thing that emerged from the budget and was teased out during the estimates process was that the pre-election commitment to deliver 500 extra — —

Mr Ondarchie — On a point of order, Acting President, I am not sure whether we are getting a

speech or simply somebody reading from the Hansard transcript of the PAEC hearings. Could you direct Mr Pakula to say something interesting rather than simply reading us what happened at PAEC?

Hon. M. P. PAKULA — On the point of order, Acting President, Mr Ondarchie could not be more wrong. All of the evidence taken at PAEC is directly relevant to the budget. I am about to talk about the government's budgetary commitment.

The ACTING PRESIDENT (Mr Tarlamis) — Order! There is no point of order.

Hon. M. P. PAKULA — The first thing that emerged from the budget after it had been teased out during the estimates process was that the pre-election commitment to deliver 500 extra prison beds without a new prison is undeliverable. You can get 108 via Langi Kal Kal and Dhurringile, but if Victorians are to get what they were promised, a new prison will need to be built at a cost of \$100 million at the very least. A fraud was committed on Victorians at the last election, because the coalition knew that if it announced a new prison, it would have to say where it would go. I note that today the minister is still saying that all options for where it will go are on the table. It also means that the total spend on the coalition's tough-on-crime approach is well north of \$1 billion — heading towards \$2 billion — when you include police, protective services officers, corrections officers, prison beds and a new jail.

Hon. W. A. Lovell interjected.

Hon. M. P. PAKULA — I say to Ms Lovell: that is fine, but simple economics will tell us that there is an opportunity cost. Every dollar that is spent on that cannot be spent on something else.

Hon. W. A. Lovell interjected.

Hon. M. P. PAKULA — Ms Lovell should know that, not unreasonably, opposition members on the committee sought from the minister a target or an estimate of what we should expect the crime rate to fall by as a result of the investment. The answer was:

What we are doing is trying to set a government on a course whereby in four years and eight years we may not see a benefit, but in 20 years time we may see a benefit in relation to crime reduction.

Today he says his answer was taken out of context. How on earth can that be taken out of context? That is what he said. I am going to say to the minister that there is a big difference between saying more than you should and being taken out of context.

This was an uninspiring budget — a budget which completely trashed the report the Treasurer relied on not one week earlier. It was a budget from a Treasurer who criticised Labor's debt and then trebled it, from a Treasurer who criticised Labor's spending and then increased it, from a Treasurer who criticised Labor's surplus and then reduced it, from a Treasurer who screamed blue murder at the reliance of past budgets on commonwealth grants and then relied on them, from a Treasurer who railed against gambling taxes and fines and then took \$100 million more from them in the next financial year alone and from a government which, over and over again — from the budget, through PAEC and right up until today — makes the excuse of programs lapsing as a reason not to fund of them.

I say one very simple thing to the government: when we were in government we funded them. The coalition is in government now, so it should fund them. If government members make a decision that they do not want to fund them or they have higher priorities, then they should just say that rather than hiding behind the utterly disingenuous argument that it is a lapsing program. Every budget has lapsing programs — —

Hon. W. A. Lovell interjected.

Hon. M. P. PAKULA — We funded those programs when we were in government.

Hon. W. A. Lovell interjected.

The DEPUTY PRESIDENT — Order! That is enough, Ms Lovell.

Hon. M. P. PAKULA — You are in government now. If you want to fund the programs, make an ERC (expenditure review committee) bid and fund them. If you do not have the wherewithal to put together an ERC bid and fund the lapsing program or you have higher priorities, then just have the courage to come out and say that.

Mr FINN (Western Metropolitan) — It gives me a great deal of pleasure to rise to support the first budget of the Baillieu government. I congratulate the Treasurer, Kim Wells, on the work that has come together in this budget. It is comforting to know that finally, after 11 years, Victoria is back in safe hands.

Hon. W. A. Lovell — We turned on the lights.

Mr FINN — We did turn on the lights. Let's not go back through all those slogans from years ago, or we could be here for quite some time.

Hon. W. A. Lovell interjected.

Mr FINN — As Ms Lovell says, 'It's time' and all the rest of it. Yes, I know.

The DEPUTY PRESIDENT — Order! I have already advised Ms Lovell not to interject when opposition members are speaking. I suggest that it is perhaps even less respectful to interject when government members are speaking.

Mr FINN — This budget is about finally facing the truth, because for years we were spun the line that the Bracks and Brumby governments were good economic managers. For years we were told that they knew how to run the economy of this state. We were told that they knew how to balance the budget and that everything was just fine and dandy. This budget is about facing the fact that they did not and that they were just another Labor government — another government that was into waste, big spending and high taxation. It is what we have come to expect from the Labor Party. It is the same old Labor Party.

What we have discovered since the election last year is that the Labor Party should change its name. It should be trading as Black Holes R Us, because that is exactly what the Labor Party has left for this new government: black holes all over the place. We have spent most of our time trying to avoid falling into the things.

Mr Leane interjected.

Mr FINN — Mr Leane looks like he has just climbed out of one. Let me assure you that we on this side of the house regard economic responsibility as paramount to this state. Unfortunately in Victoria and in Australia generally there is a cycle. It is sad but true. The Labor Party gets into government and it completely stuffs things up — it makes a total and complete hash of the economy and it blows every budget it can get hold of — and when the state is in such a mess that the people have had enough, they turf it out and put the Liberal Party and The Nationals in, and we fix it up.

I remember back in 1992 when I was a member of the government just how difficult it was. Here we are, 19 years later, and we are doing it again — perhaps not to the same extent, but we are doing it all over again. What will happen after we have fixed it up is that in 10, 15 or 20 years the people will throw us out again and the Labor Party will come back in, and it will do it all again. It will leave Victoria as a steaming wreck, as it has done so often before. The bottom line is almost a truism: Labor just cannot handle money. It does not matter whether it is state; it does not matter whether it is federal. And it does not matter whether it is in Victoria or in New South Wales, Queensland, Tasmania or

South Australia — wherever it has been, Labor has proved it cannot handle money. That is the fact of the matter. That is what every Australian should bear in mind at all times. Labor is economically incompetent. Labor cannot handle money, and it has proved it again over the last 11 years.

There is something I am particularly proud of as a result of this Baillieu government being in power for the last six months.

Mr Leane interjected.

Mr FINN — I say to Mr Leane that I am particularly proud of that. My word, I am very proud of that, but I am particularly proud of the fact that we now have a government in this state that cares for the western suburbs. We have a government in this state that does not take the western suburbs for granted and does not use and abuse the western suburbs à la Brimbank for its own purposes. We have a government that has put the western suburbs and the people of the western suburbs on the map. Last week alone we had no less than five cabinet ministers visit the western suburbs.

Mr Elsbury and I work very closely and very well together, I might point out. If we had have been at the conference last Saturday — —

Mr Leane interjected.

Mr FINN — I say to Mr Leane that we would have shown up. We would have been there. We will show up at ours this Saturday, don't worry about that.

Mr Elasmarr interjected.

Mr FINN — I will ask Mr Elasmarr if he showed up last Saturday. Did he show up at his own conference last Saturday or did he leave his leader there, talking to nobody, with all his friends? It is all a very sad state of affairs.

Mr Elsbury and I have been inundated with people who realise that they have a government they can go to and talk to. We have been very busy, I have to say, with the numbers of people who are coming to us. But of all the initiatives in the budget that have just been announced, the thing I am most proud of is the promise that we kept to provide \$4 million for autism education in the west, because children with autism in the west have been less than second-class citizens for far too long. Before the last election we promised that we would inject \$4 million to provide for their educational needs, and we have produced it in this budget.

There have been discussions with the minister and there have been discussions with many parents over the last few months about how they would like to go about this. Those discussions are continuing. I am hopeful that very soon we will have an announcement, but I am also very confident and very excited that this is the beginning of a bright new era for children with autism in the western suburbs. I know how excited so many parents are that all of the neglect of years gone by is about to change. That is something that gives me real joy and pride. We are actually changing their lives for the better. That is why we come into the Parliament; that is why I came into Parliament; that is what we are doing. We are delivering for those people who really need assistance, and we are giving it to them.

Mr Pakula was rabbiting on about the St Albans railway crossing. I am tempted to say Mr Pakula probably does not know where the St Albans railway crossing is. Whichever way you look at it, it is a long way from Black Rock. St Albans — —

Mr Ondarchie — It is in St Albans.

Mr FINN — It is in St Albans. Even Mr Ondarchie knows these things. It is a long way from Black Rock. Let me tell members: it is one of the most dangerous level crossings in this state. I recall — —

Mr Leane interjected.

Mr FINN — Yes, we are going to fix it, Mr Leane. It should have been fixed years ago. I remember that in 1999, the last year of the Kennett government, the Kennett government was going to fix it. Labor got in, and what happened? Absolutely nothing happened. It disappeared off the radar altogether. As with the rest of the western suburbs, Labor did not want to know about the St Albans railway crossing. For 11 years, despite the locals saying we needed this thing fixed, and despite the accidents and deaths and the locals being totally up in arms about the threat they faced on a daily basis, Labor did not want to know. In terms of this issue, like so many others, Labor neglected the western suburbs of Melbourne. Now we have a government that has placed the St Albans railway crossing — the one I have been talking about for 20 years, which is a very long time — on a priority list. The planning has started to get this thing under way.

I see Mr Leane has a surprised look on his face, because I mentioned the word 'planning'. That is not something Labor does. Labor just gets buckets of money and throws them at things. Labor does not plan; it just throws money at various projects. If Labor happens to get a half-decent result at some stage, it is

pretty happy. But we are going into this project with proper planning and proper public consultation. We are going to see this project through. That is great news for St Albans and for the western suburbs. It tells the people of the west that they have a government that is on their side for the first time in 11 years.

Another case of that kind is the regional rail link. Very early in the term of this government we were faced with a real possibility that this project may not have gone ahead because half a billion dollars was ripped out of Victoria by the Gillard Labor government in Canberra. It was a despicable act, in my view, and it was an attempted sabotage of this project. It is a very important project for the western suburbs, and it is an important project for Victoria — —

Mr Leane interjected.

Mr FINN — Critical indeed; I am glad Mr Leane accepts that. He should have spoken to his federal leader about that before she did the dirty on Victoria, including the western suburbs, and ripped half a billion dollars out of the project. We were left with the prospect of having to find a billion dollars or at least partially scrapping it. We have found half a billion dollars. It has not been easy, but we regard this project as so important that it will now go ahead.

It is such a pity that the Gillard Labor government in Canberra has declared war on Victoria. Three billion dollars has been ripped out of Victoria by the Gillard government. Members may ask where most of it has gone. It has gone to Queensland. Why has it gone to Queensland? I will tell members why: it is because Julia Gillard is trying to save her friend Anna Bligh, the Premier of Queensland. Let me tell Mr Leane and anybody else — —

Mr Elasmarr interjected.

Mr FINN — Let me tell Mr Elasmarr: it is not going to work, because there is a change of government in the air in Queensland, just as there was a change of government in the air in New South Wales a couple of months ago and in Victoria last year.

The Labor Party is being knocked over state by state. I say to the Prime Minister — and I know she is an avid reader of the *Hansard* of the Victorian Legislative Council — instead of declaring war on Victoria and trying to prop up her dodgy mate in Queensland, she should give to the people of Victoria what is their due — —

Mr Ondarchie interjected.

Mr FINN — She more than abandoned us, Mr Ondarchie. She is ripping us off. She is ripping off every Victorian. She has got her hands in our pockets to a degree that is quite despicable. That will be nothing compared to what will happen if she introduces a carbon tax, because a carbon tax will destroy the economic base of the state. Let us face facts.

I was with Mr Elsbury and a minister at a large company in the western suburbs last year, and I said — —

Mr Barber — Name it!

Mr FINN — No, I am not going to name it. I said to the people there, ‘What do you reckon this carbon tax will do to you?’. He said, ‘A \$25 carbon tax will see us close down’. That would be 800 jobs gone just in that one company. If members go down the street where the company is located, they will see company after company that will hit the wall. What we have is a Prime Minister and a federal government in this country who are planning a recession that will be far bigger than the recession we had to have courtesy of that other dud, Paul Keating, a former Prime Minister, all those years ago.

My time is almost finished — —

Mr Elasmarr — Good.

Mr FINN — Don’t be like that; that is very uncharitable. It is most unchristian of Mr Elasmarr to say that! As a Victorian, particularly as a Victorian who has children, I am pleased that under this government we will be addressing important issues for our future. We have done so — the Treasurer and the Premier have done so — in this budget, and I am so very proud to be part of a government that is responsible, that cares about Victorians and that will always put Victoria no. 1.

Ms MIKAKOS (Northern Metropolitan) — I welcome this opportunity to speak on the coalition’s first state budget, a budget that I believe has failed Victorian families. The handing down of the coalition’s first state budget has proven beyond doubt this government’s failure to deliver on its election promises. We have seen a litany of broken promises, and we have seen a litany of excuses as to why it cannot deliver.

I want to take this opportunity to remind government members that it was a Labor government that delivered a AAA credit rating every year that it was in office, and it was a Labor government that had a generous budget surplus every year that it was in office. In fact when Mr Baillieu was first elected to office in December of last year he acknowledged Labor’s successful

economic management of this state, telling the *Age* on 1 December last year:

The preliminary advice we now have received is that there are no surprises in the financial position ... so we will be proceeding with our commitments.

Clearly a lot happened between December and the coalition sitting down around the cabinet table to work out its budget priorities, because it then proceeded to break a whole range of promises — including making Victorian teachers the best paid in Australia — and provided a series of excuses. The government has been taking great delight in proclaiming black holes and seeking excuses to allow it to renege on its key election promises.

The government's lie was exposed when the 2010–11 midyear financial report, released in March of this year, showed that as of the end of the last calendar year there was a \$481.8 million budget surplus. It seems that the government has forgotten that the previous Labor government submitted all of its election promises to the Department of Treasury and Finance for costings — something the coalition itself failed to do. What we are seeing as a consequence is a net debt that is forecast to be much higher than it ever was under Labor, expenditure up to \$2 billion higher than it ever was under Labor and more money being collected through taxes, charges, fees and fines than was ever collected under Labor.

This budget contains absolutely no vision to grow our state, no plan to grow the economy, no strategy to create new jobs and no plan to ensure that Victorian households will have access to the important services and infrastructure they will need in the future. Labor went to the last election with a plan to create 300 000 jobs. Despite the government inheriting a vibrant state economy, this year's state budget has failed to provide any plan for job creation or economic growth.

The Baillieu government wants us to believe that this budget will assist families, but Treasurer Kim Wells was not able to mention the words 'jobs' or 'employment' once in the speech that took him over 35 minutes to deliver in the other place. We will see Victorian apprentices being dealt a major blow by this government through its decision to scrap the apprenticeship completion bonus, putting at risk the jobs of 14 000 apprentices. This is particularly outrageous given that we have a skills shortage in Australia at the moment.

I want to come to the issue of what this budget means for my electorate of Northern Metropolitan Region. Mr Finn spoke during his contribution about people

getting their due, and I believe the people of the northern suburbs have every reason to feel ripped off by this budget. The budget has provided virtually no new services or infrastructure for Melbourne's inner and northern suburbs. This government has been in office for six months, but we are yet to be graced with a visit by the Premier to the northern suburbs.

Mr Ondarchie — He was there on Friday.

Ms MIKAKOS — Where was he, Mr Ondarchie? Where was he on Friday? I do not believe the Premier knows where the northern suburbs are, because they barely rate a mention in the state budget papers. I have noticed a complete lack of interest on the part of government ministers in visiting the northern suburbs. There has been a dramatic decline in the number of ministerial visits to my electorate in the last six months. We have also seen a dramatic decline in the number of projects funded in the northern suburbs over the past six months. We are going back to the Kennett years when the northern suburbs of Melbourne, and I believe also the western suburbs, were neglected. We are going back to the Kennett years when those suburbs north of the Yarra River were completely forgotten about.

This budget has failed to show any plan to attract investment and has stalled important job creation projects such as the relocation of the Melbourne wholesale fruit and vegetable market to Epping. The budget papers say this project is 'to be determined'. Six months on, this government still cannot make a decision about this important project.

Mr Ondarchie interjected.

Ms MIKAKOS — Mr Ondarchie, if you are serious about advocating for your electorate you should be ensuring that the wholesale market relocation goes ahead. That project will single-handedly create thousands of jobs for Northern Metropolitan Region. It is also a project that is of great state significance. That market needs to be expanded. It is vital to Victoria's fresh food economy, which turns over more than \$1.6 billion a year, and stalling this project is leaving the whole sector in limbo. I believe that Mr Ondarchie and Mr Guy, as local members, should be advocating for this project to go ahead.

However, there are many other areas across the northern suburbs that have also been neglected since this government has come to office. Northern Metropolitan Region is one of the fastest growing regions in our state, and it deserves its fair share of funding and infrastructure projects.

I want to come to the issue of education, which is always Labor's no. 1 priority. In government we implemented a range of education reforms to ensure that young people were given the best education opportunities available to them, but the coalition's commitment of only \$208 million for school capital projects is the lowest it has been in eight years. Many of the disadvantaged schools in the north benefited from Labor being in office, and we saw massive school regeneration projects in Broadmeadows, Heidelberg and Thomastown. Perhaps Mr Ondarchie is not aware of them; he needs to get out a little bit more.

With the exception of three special schools that were earmarked for development by the previous Labor government — and they are all projects that I welcome — this government has no plan to fund any other school projects in my electorate. In fact that was very evident in the coalition's election costings document, which barely included any of my local schools.

While coalition members claim they are implementing their election promises, I say that is not good enough. The coalition's election policies were developed with an eye on the electoral map and ignored just about every single school north of the Yarra. As a result, schools such as William Ruthven Secondary College, Charles Latrobe P–12 College, the child and family centre at Charles Latrobe P–12 College, Olympic Village P–4 Primary School campus, Brunswick Secondary College, Greensborough College, Montmorency Secondary College, Northland Secondary College, Thomastown West Primary School, Carlton Primary School, Glenroy West Primary School, Lalor Gardens Primary School and Thornbury Primary School will miss out on needed capital funding.

Growing communities in Doreen that need a secondary school built will not get one. There will be no further work done on a high school for Coburg, and there will be no planning for a potential co-ed high school for Richmond.

What we are seeing is the Baillieu government quickly developing a bad reputation in the education sector, given its \$481.1 million cuts across the education department. In particular what we have seen is the abandonment of the Victorian schools plan, which would have seen every public school rebuilt or modernised by the end of 2016. A thing of significance about this plan is that it would have benefited all schools in the state irrespective of whether they were in Labor or coalition electorates and irrespective of where the school communities were.

Mr Ondarchie interjected.

Ms MIKAKOS — It was done on the basis of need; that is not what we are seeing here, and that is absolutely outrageous, Mr Ondarchie. If you were an advocate for your community, which you are not, you would be ensuring that your local schools got their fair share.

We have also seen from this coalition an abandonment of the School Start bonus. The government introduced means testing to that bonus so that fewer families will be able to access that funding.

We have also seen cuts to the early childhood education sector. Despite the fact that we have a baby boom in Victoria, this year's Baillieu state budget has failed Victoria's preschoolers. With almost 200 babies born every day, the Baillieu government should be aware that we have growing demand for kindergarten places. Last year over 66 000 children attended four-year-old kinder, and this growth means that more kinders need to expand their facilities.

It is the responsibility of the state government to ensure that our preschoolers can access quality early childhood education and facilities, no matter where they live. It is not sufficient to say that the federal government should fund everything; the state government has a responsibility also. That is why Labor took to the last election a commitment of \$100 million to build kindergarten capacity by 10 000 additional places. By stark contrast, what we saw in this year's budget was just \$15 million in capital funding for children's facilities. Of that \$15 million, \$3.5 million has already been allocated to just one marginal seat, leaving only \$11.5 million for the rest of the state. Yet again we are seeing members of the Baillieu government putting politics ahead of the needs of our children. This funding will upgrade barely 50 of the 1755 kinders across Victoria.

The Brumby government had entered into the national partnership on early childhood education, a Council of Australian Governments agreement to increase kinder hours for all four-year-olds from 10 to 15 hours, which is an expansion of kinder hours that the vast majority of parents support. What we are seeing from the Baillieu government is a washing of its hands. It is seeking to walk away from this commitment and saying that the federal government should fund this particular policy. People in kindergartens across Victoria are extremely concerned about the fact that there will not be adequate funding to implement this new policy. What they are saying to me is that they will have to make cuts to their

programs for three-year-olds unless they get additional resources.

What we need from Minister Lovell is for her to step up to the table and make sure that Victoria's kindergartens are not underfunded and that Victoria's preschoolers do not miss out on this important opportunity. In the Public Accounts and Estimates Committee (PAEC) estimates hearings we had the minister saying that as the government has not put aside any dedicated funding for children's centres the projects could utilise the \$15 million children's facilities capital program funding. That \$15 million will be spread more thinly than Vegemite. It has to fund kinder expansions and new children's hubs across Victoria, so I would not be counting on too many children's centres being built over the next 12 months.

I believe the greatest gift we can give our children is a solid foundation for a high-quality education, starting from birth. This was a real chance for the Baillieu government to affirm its commitment to Victorian families, but instead it has sought to hide behind excuses as to why it cannot deliver.

In the area of health we have had the Northern Health Academic and Research Precinct not funded. This was another opportunity missed by the Baillieu government.

In the area of ageing we have had a failure by the Minister for Ageing to give a guarantee during the PAEC estimates hearings that his government would not privatise residential aged-care facilities in the same way as the Kennett government did.

We saw in the area of transport the shelving of the Victorian transport plan. We saw a railway crossing in Brighton that has only 300 cars a day using that crossing get priority over many other important public transport projects across Victoria. We have seen no new trams or buses or train services, despite an expectation of increased patronage.

In conclusion, my constituents of Northern Metropolitan Region have been ignored in this budget. They are going to get very little benefit from this budget. This budget is a failure by this government to provide for Victorian families, but in particular it is a failure by the Baillieu government to consider the needs of the northern suburbs. There were not black holes left by the former Labor government, but there are some emerging slowly now. They can be found in the Baillieu government's pre-election promises. It needs to make sure that the needs of the northern suburbs are addressed just like the needs of every other part of

Victoria. I call on Mr Ondarchie and Mr Guy, as local members in my electorate, to look after those issues.

Debate adjourned on motion of Mr ELSBURY (Western Metropolitan).

Debate adjourned until next day.

DENTAL HOSPITAL LAND BILL 2011

Second reading

Debate resumed from 5 May; motion of Hon. P. R. HALL (Minister for Higher Education and Skills).

Mr JENNINGS (South Eastern Metropolitan) — Thank you, Acting President, for the opportunity to talk about the Dental Hospital Land Bill 2011. If I was not a member of this Parliament who recognises that there has been a change of government and accepts the decision of the Victorian people, I might have been tempted to quote from that brilliant song of Gladys Knight and The Pips, *It Should Have Been Me*. This piece of legislation was prepared when I was the Minister for the Environment and Climate Change and responsible for land matters in Victoria. Indeed it would have been my pleasure to introduce this bill to the Parliament of Victoria to enable the change of reservation on an important parcel in Parkville to support the development of the Victorian Comprehensive Cancer Centre.

In fact it was a project that I was very well versed in and understood the importance of from my responsibilities not only as the minister responsible for land in the context of my role as the Minister for Environment and Climate Change but also as the Minister for Innovation. I had the good fortune to work with many of Victoria's fine medical research institutes in developing a capability not only to deal in this state with cancers but also the great potential of the clinical application of research coming out of Victorian institutes of world renown that are capable of leading new developments of clinical practice not only here but abroad.

I worked on this project with the former Minister for Health, Daniel Andrews, and the former Premier, John Brumby, for a number of years; so in terms of the history, importance and potential of this project I can assure the Parliament and the people of Victoria that I am as enthusiastic about it as anybody in the state of Victoria.

I look forward to the day when we will see the comprehensive cancer centre emerge from this parcel of land and be seen and understood as a centre of world best practice in terms of cancer research, the clinical response to cancer and the high quality of health-care services provided to Victorian citizens. It will provide an opportunity for our extremely talented clinicians, researchers and health professionals to work together in a new form of collaboration which will see great results for people who use the service and the families who will be supported through the treatment regime for cancer in Victoria. The centre is a first-order priority for the incoming government. I am pleased that this piece of legislation has been brought to the Parliament to enable the parcels of land that have been previously designated for a dental hospital to be transferred to a new reservation to enable the development of this important centre.

This project has been commented on in a number of different circles in relation to the budget contribution by the commonwealth government, and there has been some commentary in recent times by the Victorian government that the rescheduling of payments to be contributed by the commonwealth government may in some way place the project in jeopardy. If you do not listen to the Treasurer's protestations and you read the budget papers you will see that it is currently estimated that the project will be completed to exactly the same project management footprint that was originally described — by 2015 — and that the tendering and project management arrangements will not have skipped a beat in relation to the way in which the project will be undertaken and completed.

This centre is a great opportunity for a partnership between the commonwealth and Victorian governments, each contributing \$426 million to the total project cost of in excess of \$1 billion. It is a great example of the potential for collaboration between the jurisdictions in investing in significant infrastructure which supports not only great research but a better quality of clinical care. Hopefully it will always be seen through that prism as being a great form of collaboration between jurisdictions. The project is also understood to be a great collaboration between the institutions that have come together to make up the consortia that will be responsible for completing the work to establish the centre and to fill it with the enthusiasm, the expertise, the skill and the talent in those various institutions to support great research and clinical care. The institutions which have come together and are a very important part of this collaboration are the Peter MacCallum Cancer Centre, Melbourne Health, the University of Melbourne, the Ludwig Institute for Cancer Research, the Walter and Eliza Hall

Institute of Medical Research, the Royal Women's Hospital and the Royal Children's Hospital.

There is a great capacity within the Victorian public sector that is supporting this effort. I know there has been a great project management team in place for some time across the Victorian public sector but centred within the Department of Health. Its members are well versed in the challenges of not only bringing together good governance but project-managing a proposal as significant as this. On behalf of the opposition I express great confidence in their ability to be able to bring these elements together and to achieve the aspiration of this centre.

From the opposition's perspective there will not be a piece of legislation that we are happier and prouder to support and a project that we will not be happier and prouder to support the delivery of. I wish this legislation to facilitate the transfer of those parcels of land and the accumulation of them in a way which will enable the centre to be created to give full speed to the great potential that will be the Victorian Comprehensive Cancer Centre.

Mr BARBER (Northern Metropolitan) —

Mr Jennings has forgone his remaining 52 minutes, so I will be equally brief because it is clear that all parties in this Parliament are in wholesome support of the project and we would not want to delay it any longer. There is, however, one small matter that emerged in debate in the lower house that I put forward for the minister to answer, possibly, in his reply.

A couple of speakers in the lower house referred to the funding of the project as coming from state and federal contributions with an additional \$300 million to come from private donations, philanthropy and the sale of part of the land. It would be of concern to us if we were removing the reservation on a piece of Crown land and then immediately selling off a piece of it. I do not believe that is what is happening. I go past this site every day. It is just a big triangle out in the middle of the roundabout, and I am not sure that it would be practical to sell off any piece of the land. If the minister could clarify that in his response, then we would not need to be here any longer.

It is an incredibly worthwhile project that we all hope will deliver outcomes that many, many Victorians will be wishing for. I will have the opportunity to go past the project as it starts to emerge from the triangle of land over the coming years. I also hope to hear many good reports on how the project itself is progressing once the new facilities have been built.

Mrs PETROVICH (Northern Victoria) — I am very pleased to stand today to support the Dental Hospital Land Bill 2011 on behalf of the Baillieu government. The purpose of this bill is to transfer Crown land, which will facilitate construction of the new Victorian Comprehensive Cancer Centre on the former site of the Royal Dental Hospital in Parkville. I would like to say at the outset that this bill provides for a great outcome for the health of all Victorians, and it was unanimously supported in the lower house in its presentation there. It is heartening to see that we have such strong bipartisan support across the chamber here today.

It is a very worthwhile bill, brief and not particularly complex, but good things come in small packages in this case. The coalition government is committed to the proper funding and support of cancer services that will assist and be of benefit to all Victorians. Unfortunately all of us know somebody who is being impacted on by cancer. We all have family members or know someone who is seeking treatment. It is the greatest cause of death in the state of Victoria and, as I said, it is unfortunate that most of us know someone who is fighting this disease.

In his contribution in the chamber Mr Jennings talked about the partnerships that are involved in this transfer, and it is pretty significant when we look at the partnership between the state and federal governments. We have \$426 million contributed from the commonwealth, \$428.5 million from the state government and \$218.95 million from other sources. Some \$50 million of funding for this project is from philanthropic sources; \$25 million is from the University of Melbourne; and \$25 million is from the Ludwig Institute for Cancer Research, which is the largest cancer research centre in the world, and we are very fortunate to have such a facility here in Victoria. We also have \$80 million contributed by the Peter MacCallum Cancer Centre.

Clause 1 sets out the main purpose of the bill, which as I said revokes the permanent reservation of the former dental hospital and dental school in Parkville — a site very familiar, as Mr Barber said, to many who drive past it regularly. It will also make consequential amendments to the Royal Melbourne Hospital Act 1935. Clause 2 sets out when the provisions of the bill come into operation, which will be 1 July 2011 or a day or days to be proclaimed, whichever is the earlier.

Part 2 of the bill talks about revocation of the reservation. Clause 3 revokes the permanent reservation of land at Parkville as a site for the former dental hospital and dental school. The details of the

reservation are set out in schedule 1. Clause 4 sets out the consequences of the revocation effected by clause 3, which is to return the land to its original status as unalienated Crown land. Clause 5 preserves a specific lease between the Minister for Health and CitiPower over part of the land and ensures that key rights and obligations do not change under that lease by virtue of this provision. Clause 5 is necessary to ensure that the lease is not extinguished by clause 4.

Part 3 of the bill makes two consequential amendments to the Royal Melbourne Hospital Act 1935. The first consequential amendment is to repeal section 5(2)(b), which refers to the power of the Governor in Council to permanently reserve the land as a site for a dental hospital and dental school. After the enactment of this provision in 1936 the reservation to which section 5(2)(b) refers was made, so the reservation is now being revoked by the bill. Clause 8 makes a further consequential amendment to the Royal Melbourne Hospital Act 1935 by repealing its fifth schedule, which describes the site for a dental hospital and dental school. The only operative provisions of this act to refer to the fifth schedule are being repealed by clause 7.

The culmination of all of that is that the bill revokes the permanent reservation over land for the dental hospital and dental school, enabling the land to be reserved for health purposes and facilitating construction of the Victorian Comprehensive Cancer Centre. It will be a world-class centre of which we will all be very proud, and it will provide excellence in cancer research, treatment and care. The site of the Victorian cancer centre was selected primarily for its location within Victoria's largest medical research and technology precinct. The \$1 billion project, as I outlined earlier in detail, is being funded by the Victorian and commonwealth governments, and the contributions from other partnerships reflect the importance of this institution and the importance that the community places on providing a service to support cancer services across Victoria.

To reflect on what has been said previously about the government's budget provisions in regional centres, we have cancer support services existing at our regional hospitals. We have put significant money into the new hospital at Bendigo, and this centre will act as a support to those centres across Victoria. Currently the Peter MacCallum centre provides 15 per cent of all cancer services and the Royal Melbourne Hospital provides an additional 15 per cent.

This comprehensive cancer service will provide 30 per cent of complete activity, which will support those other services in regional areas. That means we will

provide additional services whilst the continued service for cancer treatment will still be carried out close to home through regional and rural areas. Seventy per cent of the services will continue close to home, close to families, but when backup is needed, this service will be available for very acute and specific types of cancer. This service is for rare and complex cancer care.

As Mr Jennings said, we are privileged to have the support we have in the area of research and education which will support clinical activity. At its completion the centre will have the largest concentration of researchers in the world — 1400 in total. That is a remarkable capacity — a brain power, learning, knowledge, teaching and support capacity — for our services. The service will bring together all those leaders who are recognised in cancer research and clinical services, education and training, including the Peter MacCallum Cancer Centre, Melbourne Health, which includes the Royal Melbourne Hospital, the University of Melbourne, the Parkville branch of the Ludwig Institute for Cancer Research Melbourne, the Walter and Eliza Hall Institute of Medical Research, the Royal Women's Hospital and the Royal Children's Hospital.

The primary objective of the centre is to reduce the burden of cancer. This will be achieved through the collaboration of those great research minds and those who are experts in the treatment of this insidious disease. This collaborative approach will facilitate and continue the education and training of future and current cancer clinicians and researchers, and it will ensure Victoria's place as one of the leaders in the world in this area of medicine.

I finish by saying that this development will be permanently reserved for the use of the cancer research centre. In response to the issue that was raised by Mr Barber, there is a proposal for that funding to be completed. But if we are looking at issues of future growth, there is also additional land which will be set aside at the old Royal Women's Hospital site in Carlton to allow for future growth in the area of dental treatment. That should instil some confidence. On that basis I will commend the bill to the house. I am hoping for bipartisan support, as we saw in the lower house, of this most worthwhile project.

Motion agreed to.

Read second time.

Committed.

Committee

Hon. D. M. DAVIS (Minister for Health) — I seek leave for Mrs Petrovich to join me at the table.

Leave granted.

Clause 1

Mr BARBER (Northern Metropolitan) — In the lower house the non-government speakers described the funding for the project. They referenced an amount of money being raised by the sale of part of the land, but I presume that is not part of the land that we are today removing the reservation from. I want the minister, who has had a long involvement with issues of public land through the select committee in the last Parliament, to tell me exactly what the score is.

Hon. D. M. DAVIS (Minister for Health) — I am very pleased to provide an assurance to Mr Barber and the chamber that there is no land on the old dental hospital site that is sold in this process.

Clause agreed to; clauses 2 to 8 agreed to; schedule 1 agreed to.

Reported to house without amendment.

Report adopted.

Third reading

Motion agreed to.

Read third time.

ADJOURNMENT

Hon. D. M. DAVIS (Minister for Health) — I move:

That the house do now adjourn.

St Kilda pier: upgrade

Mrs COOTE (Southern Metropolitan) — My adjournment matter this evening is for the Minister for Environment and Climate Change, Ryan Smith. The issue is to do with the St Kilda pier, which is an icon in the city of St Kilda and the city of Port Phillip and for Victoria and the state as a whole. Every year hundreds of thousands of Victorian, Australian and international visitors visit the pier. At any time of the day or night you will see people strolling or running along the pier. People fish from the pier and also visit the exceedingly popular kiosk at the end of the pier. Several years ago this landmark burned down. The public support for its

replacement was overwhelming and it was successfully rebuilt, and it continues to be a wonderful place at which to eat, have a latte or simply enjoy the ambience and the view.

There is also a very healthy colony of little fairy penguins who inhabit the end of the pier. People do not need to go to Phillip Island to see penguins; they only need to come to St Kilda and there they are at the end of the pier. I suggest people come to have a look. Several years ago when the breakwater was being replenished a group of people from Parks Victoria and the local community would go out every day to check for the little penguins and make certain they were okay and that they were protected from the redevelopment. Happily, not one penguin was lost during that time.

In addition to all these activities taking place on the St Kilda pier is the Royal Melbourne Yacht Squadron. Like the pier, the squadron is an icon, and its website states:

We offer a range of sailing-related activities such as yacht racing (ranging from social club races to highly competitive inter-club races), a cruising division ... outings ranging from lunch outings to long-weekend cruises around the bay ... and training programs, including a junior sailing program for school-age children.

And there is social membership as well.

The landlord of the Royal Melbourne Yacht Squadron is Parks Victoria, and the commodore, Stuart Tait, has advised me that in order to expand and upgrade the facilities to meet the City of Port Phillip's requirements the squadron requires assistance from Parks Victoria. The action I am seeking is to urge the minister to listen to the requests from the commodore and the members of the Royal Melbourne Yacht Squadron and, if possible, support those requests.

Children: Take a Break program

Ms MIKAKOS (Northern Metropolitan) — My matter is for the Minister for Children and Early Childhood Development. I wish to raise my concern that the government has decided to defund the Take a Break occasional child-care program by the end of the year. This was confirmed by Minister Lovell at the Public Accounts and Estimates Committee hearings last week. It will mean that families across Victoria will be unable to access affordable, community-based occasional child care to undertake tasks that benefit the family.

The Take a Break occasional child-care program is provided at more than 220 neighbourhood houses and community centres across Victoria. It allows parents

and guardians to participate in activities including study, recreational classes and voluntary community activities while their children socialise and interact with other children in an early learning environment. This program provides an essential service of affordable occasional child care, particularly in rural and regional areas where long day care is not a convenient or affordable option for all families.

Last year the Brumby Labor government took over full funding of the program and provided \$1.9 million to allow it to continue. Unfortunately Minister Lovell and the Baillieu government have made the choice to stop funding the program after 31 December, leaving many families, especially those who are economically disadvantaged, without assistance for children's services that would be beneficial to them and would provide a positive outcome in their lives.

In its media release dated 3 May the Association of Neighbourhood Houses and Learning Centres expressed its 'shock and disappointment' to learn of the Baillieu government's decision to pull the plug on this program. In research that it conducted last year, the association found that the organisers of 55 per cent of neighbourhood houses throughout metropolitan Melbourne and Victoria said they would have to close down their child-care service without the Take a Break subsidy.

I call on the Minister for Children and Early Childhood Development to reconsider her decision and to urgently commit funding for the Take a Break program to continue beyond 31 December. I call on her to give families across Victoria access to services and opportunities that meet their need for affordable, community-based occasional child care.

Vocational education and training: enrolments

Mr O'DONOHUE (Eastern Victoria) — I raise a matter this evening for the attention of the Minister for Higher Education and Skills, Mr Hall. The matter flows from the government's decision in January to address fees for the vocational education and training sector and to reintroduce concession fee places. This was a great move by the government and something about which I know the minister was very passionate; it was one of his first decisions in government. I am pleased to see that, as a result of that decision by the minister, there has been a strong response by way of an increase in enrolments, including increased enrolments by people with a disability and from culturally and linguistically diverse backgrounds. That all bodes well for increasing the participation of those from lower salaried

backgrounds, which is important to increase the participation rate in our education system.

In light of this early success I ask the minister to consider what other options are available to the government and to the sector to increase the participation rate and build the skill base for Victoria.

Goulburn-Murray Water: board

Mr LENDERS (Southern Metropolitan) — The matter I raise in the adjournment debate tonight is for the attention for the Minister for Water, Peter Walsh. It is in regard to the new appointments to the Goulburn-Murray Water board which were announced today. We saw that the previous board was, effectively, sacked some months ago, a temporary board was put in place, and now the final board has been appointed. I noticed that in the minister's press release today he said he had sought advice from the Department of Treasury and Finance and the Department of Sustainability and Environment. The issue I raise for him is that this board is effectively a custodian, or will be, of \$300 million of money from Melbourne water users which was paid for the purpose of purchasing 75 billion litres of water a year.

What we also had was a government policy of having 50 per cent of board members elected by the users, and that policy has not been applied to this board. I note that among the board members is Cr Neil Pankhurst. I have no issue with the minister appointing members of his party to the board. I know Cr Pankhurst is the chairman of The Nationals in the Rodney electorate; I have no issue with that at all. Ministers should be able to appoint people on merit, but I am surprised that a prominent Plug the Pipe supporter is now in charge of \$300 million of Melbourne water money which, if it is not used to distribute any of the resources back, will mean that 4 million Melbourne and Melbourne region water users will need to pay more for their water than would otherwise be the case because, as we all know, this water has been paid for in full but has not been delivered to Melbourne.

The action I seek from the minister tonight is for him to release the departmental advice from the Department of Treasury and Finance and the Department of Sustainability and Environment as to their recommendations on who were the most appropriate appointees to the board and where Cr Pankhurst scored on their recommendation.

McIvor Highway, Bendigo: speed limit

Mrs PETROVICH (Northern Victoria) — My adjournment matter is for the Minister for Public Transport and Minister for Roads, Terry Mulder. I would like to raise the issue of speed zones around a new residential development on the McIvor Highway called Bendigo Domain Village. The development is for people aged over 50 and currently has 28 residential units, and this number will continue to grow to over 200 units. Currently the speed zone in this area, which is adjacent to Lords Raceway, Junortoun, is 90 kilometres per hour. Residents are already having difficulty accessing and exiting the village because of these speeds. One resident has already been hospitalised as a result of an accident; she was crossing the road, pushing her bicycle, and was hit by a car and ended up in the Alfred hospital.

This is a very busy road, with a lot of activity around the trotting and greyhound racing complex and increased residential development. This is becoming a community safety issue. The action I seek is that Minister Mulder refer this issue to the VicRoads review of speed zones, which is currently under way to assess the possibility of reducing speeds in this area.

Sea View House, Portland: future

Ms TIERNEY (Western Victoria) — I am pleased to see the Minister for Health in the chamber tonight being the duty minister, as my adjournment matter is for him. It is in relation to Sea View House at Portland. I am aware that the minister is familiar with the situation in Portland. I can indicate that I also have been contacted by family members who have loved ones who reside at Sea View House. They have raised a number of issues with me, and I ask the minister to take action and inform the residents of Sea View House, their family members, the Portland community, the wider south-west community and me of a number of items.

Will the sale of Sea View House proceed? What time lines will be involved in the decision to sell or not to sell it? What will the consultation process be? And what guarantee can all those involved — being the residents, their families, staff members and so on — rely on, not just to be informed but to actually be involved in a genuine consultation process at all stages? If it is going to be sold, will Sea View House continue to operate as a supported residential service? If it is to be sold, will it be the Department of Health that decides on the sale, the terms of the sale and the progress, or will it be the Portland District Health board?

While I appreciate that some of these questions may not have answers right at this minute, there is a high level of anxiety within the residential community, and there is little information in terms of exactly what is happening. I ask the minister to intervene and provide greater clarity on issues such as when the key decisions will be made, what the time frames will be and how residents and their families can have full and proper input.

Rail: Newport station

Mr FINN (Western Metropolitan) — I wish to raise a matter this evening for the Minister for Public Transport. It involves the appalling state of the surrounding areas of the Newport railway station. I received a telephone call a few weeks ago from a constituent, Ms Phillipa Campbell, a resident of Newport, who invited me down to the Newport station to have a look at its appalling state. I have to say I was pretty disgusted by what I saw. To begin with, there was a rickety and I must say pretty dodgy-looking bridge that I thought had been there for a couple of generations, but I was told it has been there for less than 12 months — a legacy of the former Minister for Public Transport, no doubt! There were papers, wrappers and rubbish of every description everywhere. It really was a disgraceful scene.

Despite the fact that Tim Flannery tells us it will never rain again, we have had some considerable rain of recent times, and during the course of that rain it has been discovered that the drains are blocked. To begin with there is inadequate drainage for the entire area, so the car park itself turns into somewhat of a wading pool, with water up to people's knees. I suppose for shorter people it might go up to their waist, I do not know, but certainly for those who have to put up with this on a daily basis when it is raining this is not an amusing matter at all, as members can understand.

The path from the car park to the railway station itself is also subject to flooding. That leads to commuters climbing on the cement around the pylon and taking a very dangerous course of action just to avoid the water as they try to get to the station to get the train. You would not have to be Einstein to realise just how very dangerous this is. It is only a matter of time before somebody is seriously injured as they climb onto these whopping great bits of cement to avoid the water.

At the moment the Newport station is frustration central. Metro Trains Melbourne blames the Hobsons Bay City Council, and the council blames the Department of Transport, but not everybody can deny responsibility. I have faith in the minister. I ask him to

knock a few heads together and let us see if we can get this resolved.

Western Region Health Centre: dental service funding

Hon. M. P. PAKULA (Western Metropolitan) — President —

Mr Finn — You should have fixed it when you were the minister.

Hon. M. P. PAKULA — I do not remember you raising it, Mr Finn.

The matter I wish to raise is for the Minister for Health, and it concerns a matter which has been raised in this place before — that is, the community dental clinic at the Western Region Health Centre in Geelong Road, Footscray.

Mr Finn — I have already been there.

Hon. M. P. PAKULA — I know you have, Mr Finn. The west did not do that well out of the state budget. Caroline Springs station is on the never-never, Hoppers Crossing lost its premium station upgrade before it ever arrived, Wyndham was almost completely overlooked in the roads budget — and I could go on. But I had some hope for the dental centre, because Mr Finn's comments before the budget about —

Mr Finn interjected.

Hon. M. P. PAKULA — Mr Finn, I am about to give you a compliment; you really should listen. Mr Finn's comments before the budget about the chairs being better placed in the Tutankhamun exhibition made me think he might have had some inside mail. But on reflection I should have realised the health minister was unlikely to have confided in Mr Finn. It is unfortunate that Mr Finn appears not to have the clout with the health minister that the dental clinic could do with.

The house might recall that the former Brumby government committed \$8 million for a 12-chair dental clinic to be built in Paisley Street, Footscray, had we won the election. We did not, and now responsibility for funding it falls to the new government and to the Minister for Health. Now Lyn Morgain, the CEO of the service, believes \$9 million is needed to properly rebuild the service. The action I seek from the minister is that he provide the centre with an explanation as to why funding was not forthcoming in this budget and that he provide the centre and the residents of

Melbourne's west with a commitment that the centre will be funded by next year's budget at the very latest.

Platypuses: net traps

Ms PENNICUIK (Southern Metropolitan) — I raise a matter for the Minister for Environment and Climate Change, and it relates to the so-called opera house net traps. These traps are banned from use in public waterways in Victoria but can still be used in dams on private properties to catch yabbies and crayfish.

Hon. D. M. Davis — What sorts of traps?

Ms PENNICUIK — Opera house net traps. However, this type of net is a deathtrap for platypuses, water rats, turtles and some diving water birds. They are often left out overnight when some of these animals are most active. The animals enter the traps to eat the yabbies and cannot get out. Department of Sustainability and Environment (DSE) wildlife officers have been collecting data since mid last year, and since then 11 opera house nets have been reported as having resulted in the death of five platypuses, including a female found trapped in one of three opera house nets tied to a log in the river in West Gippsland and one trapped in a home-made opera house net found on the bank of the Mitchell River by a family camping in the national park in East Gippsland downstream of the camping ground. Three traps were found with two drowned platypuses in the Upper Tarago River. Opera house nets are also found in the urban fringe waterways around Melbourne. Two were found concealed in bush along the Cardinia Creek, Berwick, where officers also removed seven unattended yabby drop nets.

The number of platypus deaths has DSE officers and the Australian Platypus Conservancy concerned about the future of this aquatic marsupial. The number of platypuses in Victoria has declined due to the recent drought, and in some catchments numbers have dropped to the level where populations are barely viable. In this circumstance the death of even a single platypus could make a significant difference to the long-term survival of the population. If a female is killed during the summer breeding period, her young in the nursery burrow will also die in a slow and painful way.

Department of Sustainability and Environment wildlife officers have been working with Department of Primary Industries fisheries officers throughout Victoria to detect and deter freshwater anglers illegally using opera house nets. I applaud them for the work they have been doing to detect and remove the traps

and 'to deter lazy fishing practices and selfish use of illegal nets', as it says on the DSE website.

Trapping protected native wildlife such as platypuses is a serious offence and can be prosecuted with a \$5500 fine. Members of the public are also encouraged to report the illegal use of opera house nets by calling DSE. However, opera house net traps are readily available from camping and outdoor stores throughout Victoria for less than \$20, and there is little or no warning on them about the potential to harm wildlife. Many users are unaware that they are banned from public waters and that they pose a risk to platypuses.

My request to the minister is that he issue a complete ban on the sale of opera house net traps due to the lethal threat they pose to non-target protected species. There are other nets available for catching yabbies that do not inadvertently trap platypuses and other native animals.

Bridges: Yackandandah Creek

Ms BROAD (Northern Victoria) — My adjournment matter is for the Minister for Roads, Terry Mulder. Last Tuesday I visited Wodonga and travelled to meet with the mayor of Indigo Shire Council, Cr Ali Pockley, and representatives of regional media, including the *Border Mail* newspaper, at the Yackandandah Creek bridge on the Kiewa Valley Highway. I did this in order to draw attention to the state of this bridge, which is closed, and to support the request from Indigo shire, the Murray Goulburn Co-operative and the Falls Creek snow resort for a meeting with the Minister for Roads to discuss how the bridge can be replaced and reopened at the earliest practical opportunity. Wodonga City Council has also written to the minister demanding action to replace and reopen this important bridge.

This bridge is on the outskirts of Wodonga on a major highway and is used by local communities, school buses and B-double trucks servicing the Murray Goulburn Co-operative factory, which employs more than 200 employees in the region. All of this traffic has been diverted to other roads since December when the bridge was damaged in a storm, and the community is being informed by VicRoads that this bridge cannot be replaced and reopened before April 2012.

The councils, businesses, local communities and schools affected are most concerned about the threat to safety as a result of trucks, school buses, caravans and tourist and local traffic all mixing on roads not designed to carry this kind of traffic, which is normally contained to a major highway. They are also nonplussed about the time that they are being advised this bridge will take to

be replaced and reopened. Other bridges which were damaged at the same time in December last year have been repaired and replaced and reopened in a matter of weeks, whereas they are being advised that this cannot be undertaken before April next year.

They are also nonplussed that after months of seeking a meeting with the minister they cannot even get their calls returned, which is completely unacceptable, particularly when dealing with major businesses, major employers and the local governments affected. I support their call for a meeting with the minister.

The PRESIDENT — Order! The minister wanted clarification on the name of the bridge.

Ms BROAD — The Yackandandah Creek bridge on the Kiewa Valley Highway.

Responses

Hon. D. M. DAVIS (Minister for Health) — I have answers to seven adjournment debate matters raised by Ms Tierney on 22 March 2011, Mr Koch on 5 April 2011, Mr Ondarchie on 5 April 2011, Ms Tierney on 5 April 2011, Ms Mikakos on 5 April 2011, Mr O'Brien on 7 April 2011 and Mr Lenders on 7 April 2011.

Tonight 10 matters have been raised in the adjournment debate. The first was raised by Mrs Coote for the attention of the Minister for Environment and Climate Change, Ryan Smith, concerning St Kilda pier and the important Royal Melbourne Yacht Squadron. She seeks from the minister his assistance, and in particular that he listen to the commodore's requests. Being familiar with the matter she raises, I would endorse her requests to the minister, and I have no doubt that he is prepared to take that on board.

The second matter was raised by Ms Mikakos and concerned early childhood support. There was a long discussion today, as the chamber will remember, concerning early childhood support, and the minister gave a lengthy answer, but I will pass that on, noting that the previous government left a series of programs with lapsing funding.

There was a matter raised for the attention of Mr Hall by Mr O'Donohue concerning skills and fees in the VET (vocational education and training) sector. He congratulated the minister on putting concession fee places back into the VET sector and noted the importance of that, but he also asked the minister to consider what options are available for increased take-up of skills and other activities in the VET sector, and I will pass that on to Minister Hall, who I know

will be very supportive of the matter that has been raised.

Mr Lenders raised for the attention of the Minister for Water a matter concerning board appointments. He made a number of points about the north-south pipeline and the contribution to that project of Melbourne, under the previous government, through Melbourne Water. He raised a concern about Neil Pankhurst being a member of the Plug the Pipe group. I will pass that on to the Minister for Water, but I am sure that the Minister for Water has these matters in hand. It is a little rich for Mr Lenders to raise the cost of water in Melbourne when he is the former Treasurer who presided over the matters surrounding the desalination plant, one of the greatest financial mistakes to hit Melbourne consumers.

Mrs Petrovich raised for the Minister for Roads a matter concerning speed zones, and I will raise that matter with Minister Mulder. I have no doubt that he will be prepared to look closely at it and provide her with some assurances about community safety. I am sure he will be pleased to assist with the matter raised.

Ms Tierney raised for me as Minister for Health a matter concerning Sea View House, an important service in Portland under the control of Portland District Health. There have been issues about the management and viability of Sea View House going back a number of years. Ms Tierney will remember that I advised the house that a consultant had been put in place to examine the difficulties, and I am happy to provide her with a copy of the news release and terms of reference for that. They are, I might add, public documents. I am aware of the difficulties that are faced there. A number of staff have complained to me.

I am also aware of the difficulties at Sea View House and of a series of financial decisions made — in the period of the last government, I might add — by Portland District Health that have placed it in a very difficult position. It is for that reason that I requested that the review be undertaken, and I can assure Ms Tierney that I did that with decisive action because I was very aware of the difficulties faced not just by the health service overall but by the residents. It is for their benefit that I have sought to get to the bottom of the troubles that have occurred in that service. I can also assure Ms Tierney that she will not have to wait long. I am informed that the consultants will come back with advice, and I will make some further statements on the basis of that advice and the detailed examination that has occurred. I am particularly mindful of the need to provide support to those who are vulnerable and the staff at the service.

Mr Finn raised for the Minister for Public Transport a matter about the appalling state, as he described it, of Newport railway station. I am familiar with Newport railway station. I have a number of friends who live close to the station and I have visited it on a number of occasions, so I too have had occasion to examine the station. However, I have not done so when it has been raining, and Mr Finn pointed out issues concerning blocked drains. I will raise the matter with the Minister for Public Transport, who I am sure will be prepared to examine the result of 11 years of neglect.

Mr Pakula raised for me as Minister for Health a matter concerning a community dental clinic in Footscray. As he indicated, this matter has been raised in the chamber before. I note that there is significant need for dental services across the state, and that includes in the western suburbs. The former minister occasionally visits the western suburbs, an area he represents but does not live in. I make the point very clearly that whilst he now calls for funds to be put into the dental service — and that is a perfectly legitimate call, and as he indicated it has been made in this chamber before — for over 11 years he chose not to follow that particular cause, either as a member or even as a minister.

Ms Pennicuik raised for the attention of the Minister for Environment and Climate Change a matter concerning opera house traps. I take the points that she made. I am not familiar with these traps, so I am happy to pass this on to the Minister for Environment and Climate Change, but I too share her concerns about the plight of platypuses, or platypi — I stand corrected on which way to say it, but I think platypuses is correct — and I will pass on those matters to the Minister for Environment and Climate Change.

Ms Broad raised for the attention of the Minister for Roads a matter concerning the Yackandandah Creek bridge, and I will pass that on to the Minister for Roads. I am sure he will be very concerned to contact and talk to members of the community, and I have no doubt he has had representations made to him concerning this matter. I know that the damage that has been done to a number of bridges throughout northern Victoria is significant. It has impacted communities and businesses, and the government is doing everything it can to assist in these matters. I will pass this on to the Minister for Public Transport for his response.

Mr Lenders — On a point of order, President, Mr David Davis reported on an adjournment matter of mine of 7 April, but on 6 April I raised an adjournment matter for the Minister for Water, and it is now 18 days overdue. I ask for action and a response.

Hon. D. M. DAVIS — I am happy to take up that matter.

The PRESIDENT — Order! The house stands adjourned.

House adjourned 10.07 p.m.



Minister for Energy and Resources

Our Ref: SU600444

Mr Wayne Tunnecliffe
Clerk of the Legislative Council
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EAST MELBOURNE VIC 3002

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Dear Mr Tunnecliffe,

LEGISLATIVE COUNCIL ORDER TO PRODUCE DOCUMENTS - ADVANCED METERING

I refer to the Legislative Council's resolution of 4 May 2011:

That this House requires the Leader of the Government to table in the Legislative Council by 12 noon on Tuesday, 24 May 2011, a copy of all submissions from the State of Victoria, since 27 November 2010, to the Australian Energy Regulator on the Advanced Metering Infrastructure determinations.

The Australian Energy Regulator (AER) is currently conducting a review to determine advanced metering budgets and charges for distributors for the 2012-2015 regulatory period.

The AER is expected to publish its draft determination in July, with the final determination due by 31 October 2011. In accordance with previous practice the Government will make a submission in response to the draft determination.

Therefore there are currently no documents within the terms of the Legislative Council resolution.

Yours faithfully,

HON. MICHAEL O'BRIEN MP
Minister for Energy and Resources

23/5/2011

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Our ref: D11/87879

Mr Wayne Tunnecliffe
Clerk of the Legislative Council
Parliament House
EAST MELBOURNE VIC 3002

24 MAY 2011

Dear Mr Tunnecliffe

I refer to the Legislative Council's order of 2 March 2011, seeking the production of certain documents relating to the Australian Grand Prix by 22 March 2011.

I also refer to my letter of 21 March 2011, in which I advised that the Government would not be able to respond within the Council's deadline.

The Government is continuing to process its response to this order and is currently assessing relevant documents. The Government will endeavour to respond shortly.

Yours sincerely

ROBERT CLARK MP
Attorney-General

24/5/11

