

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

9 February 2011

(Extract from Book 2)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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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 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, Ms Hartland, Ms Mikakos, Mr O'Brien, Mr O'Donohue, Mr Pakula, Mrs Petrovich and Mr Viney.

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

Joint committees

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

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

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

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.

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. P. R. HALL

Deputy Leader of The Nationals:

Mr D. DRUM

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Dalla-Riva, Hon. Richard Alex Gordon	Eastern Metropolitan	LP	O'Donohue, Mr Edward John	Eastern Victoria	LP
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Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Tarlamis, Mr Lee Reginald	South Eastern Metropolitan	ALP
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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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Wednesday, 9 February 2011

The PRESIDENT (Hon. B. N. Atkinson) took the chair at 9.35 a.m. and read the prayer.

CHILDREN'S COURT OF VICTORIA**Report 2009–10**

Hon. R. A. DALLA-RIVA (Minister for Employment and Industrial Relations) presented report by command of the Governor.

Laid on table.

PAPERS

Laid on table by Clerk:

Auditor-General's reports on —

Acquittal Report: Results of the 2009–10 Audits, February 2011.

Construction of Police Stations and Courthouses, February 2011.

Effectiveness of Victims of Crime Programs, February 2011.

Motorcycle and Scooter Safety Programs, February 2011.

Ombudsman — Report on the Investigation into the failure of agencies to manage registered sex offenders, February 2011.

BUSINESS OF THE HOUSE**Statements of compatibility**

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

That the statement of compatibility required to be tabled pursuant to the Charter of Human Rights and Responsibilities Act 2006 when a member introduces a bill into the Council be incorporated into *Hansard* together with the second-reading speech.

Motion agreed to.

MEMBERS STATEMENTS**Simon McKeon**

Ms MIKAKOS (Northern Metropolitan) — I rise today to congratulate Mr Simon McKeon on being named this year's Australian of the Year. I have met

Simon McKeon through his role as the inaugural chairman of Business for Millennium Development (B4MD), which was established in 2007 and promotes business-led growth as the most effective means of reducing poverty in the Third World.

Mr McKeon is a successful businessman and is currently the executive chairman of the Macquarie Group's Melbourne office, but it is for his efforts in multiple Australian and international charities that he has been recognised. He has urged other businesspeople to use their skills for the purposes of philanthropy.

Mr McKeon has devoted a considerable amount of his time and energy to philanthropy, using his expertise as chairman of both B4MD and CSIRO together with his long association with World Vision. He is involved with its Global Poverty Project and Red Dust Role Models, which connect well-known Australians with indigenous youth. Mr McKeon has previously served as founding chairman of MS Research Australia and has also served on the boards of MS Australia and the Multiple Sclerosis Society of Victoria. As someone who suffers from multiple sclerosis himself, his many achievements are truly inspirational.

It is people such as Mr McKeon who emphasise the best qualities of Australian citizens. To be named Australian of the Year is a fitting recognition of someone of such influence who leads by example. I congratulate Mr McKeon for all his efforts and continuing advocacy in our community, in particular for his efforts to reduce poverty in developing countries. On that note, now is not the time to be reducing foreign aid.

Volunteers: emergency services

Ms CROZIER (Southern Metropolitan) — I would like to take this opportunity to speak to the house about and commend the enormous contributions of the various voluntary organisations and individual volunteers that in times of crisis are an essential backup for the highly trained professionals of our emergency services. In recent times Victorians have faced the natural disasters of both fire and flood. During these natural events and those that have preceded them many volunteers have come to the aid of their fellow Victorians, and their efforts should be recognised and applauded.

With a number of my parliamentary colleagues I witnessed firsthand the efforts of the Red Cross, the State Emergency Service and other local agencies when we assisted in a relief centre in northern Victoria a few weeks ago. Following the floods that affected most of

Melbourne over the weekend, relief centres like that one were set up throughout the state and in areas of metropolitan Melbourne. The efforts by the selfless volunteers, who in many instances had also been affected by the crisis, showed the spirit for which this state and this country are renowned.

As I said just a few days before Christmas in this place, volunteer programs and voluntary activity should be promoted, encouraged and supported by government to build a stronger and more respected and inclusive society so that together we can rebuild following such terrible events.

Grahamvale Primary School: swimming lessons

Ms DARVENIZA (Northern Victoria) — I want to take this opportunity to acknowledge the Grahamvale Primary School chaplain, Ms Jackie Belot, who recently initiated free swimming lessons for primary school-age children at the Mooroopna War Memorial Pool.

Ms Belot believes children need to learn to swim and be aware of water safety, and she recognises that some families have difficulty giving their children swimming lessons. When you live in our neck of the woods — being surrounded by rivers, dams and irrigation channels — you have a lot of water around you, and of course there are lots of swimming pools.

Teaching children to swim and about water safety from a young age provides them with a great opportunity for a lot of water fun and physical activity, which is important. We are always encouraging our young ones to get off the couch and get active. Most importantly, swimming lessons help to keep them safe when they are in and around water.

William Mansfield

Ms PENNICUIK (Southern Metropolitan) — Today I would like to pay tribute to the late William ‘Bill’ Mansfield, who died after a short illness on 3 February, four days before his 69th birthday. Bill was a stalwart of the union movement who worked tirelessly to improve the lives of working Australians.

Bill grew up in Yarrawonga and began his working life as a technician at the former Postmaster-General’s Department and Telecom. In 1978 he became the national secretary of the Australian Telecommunications Employees Association. Bill was an assistant secretary of the ACTU (Australian Council of Trade Unions) from 1985 to 2002 and an Australian

industrial relations commissioner from 2002 until he retired in 2007. Bill was a champion of occupational health and safety and vocational education and training. He sat on the National Occupational Health and Safety Commission and the Australian National Training Authority board. He was also an elected member of the Governing Body of the International Labour Organisation. As ACTU assistant secretary responsible for occupational health and safety, Bill was my boss for five years, though my colleagues and I in the occupational health and safety unit worked very much as a team. We often debated vigorously what position to take on issues, but Bill always listened to what people had to say. I know everyone who worked with him said the same.

Bill had a very strong work ethic and set a great example to everyone around him. He was a great mentor and was always fair and generous to work with. I learnt a lot from Bill, and I hope I carry some of it with me today. We remained friends and met for dinner from time to time. I will miss him very much. I extend my deepest condolences to Bill’s wife, Joyce, and to Justin and Sasha and Luke and Cara. Vale, Bill.

Victorian election: coalition candidates

Mr O’DONOHUE (Eastern Victoria) — I rise this morning to congratulate the new Legislative Assembly member for Gembrook, Brad Battin, on his success. He will make an outstanding contribution to this Parliament. I would also like to congratulate the new Legislative Assembly member for Gippsland East, Tim Bull, on his success, and I am sure he will make an outstanding contribution to his community and to this Parliament.

I am very pleased, grateful and humbled to be given the opportunity to represent the people of Eastern Victoria Region in this Parliament together with my colleagues Philip Davis and Peter Hall.

I also take this opportunity to congratulate Matt Mills, the Liberal candidate at the recent election for the lower house seat of Monbulk. He worked incredibly hard. He is a man of integrity and capacity, and through his work the margin in that seat was reduced from 6.7 per cent before the election to just 1.9 per cent now.

Lauren Harrison

Mr O’DONOHUE — Previously in this place I have spoken about the Harold Bould Memorial Award, which is an award that together with the 39th Australian Infantry Battalion Association I have helped to coordinate and organise. One of the ideas of the award

is to encourage young leaders in the shire of Cardinia. They are given the opportunity to walk the Kokoda Track. I am very pleased that one of the inaugural winners of the award, Lauren Harrison, was awarded Young Citizen of the Year by the Shire of Cardinia on Australia Day. It is a great reflection on the award and indeed a great reflection on Lauren.

Ovarian cancer: awareness

Ms TIERNEY (Western Victoria) — The month of February is Ovarian Cancer Awareness Month, and I take this opportunity to raise awareness of ovarian cancer and its symptoms. Three Australian women are diagnosed with ovarian cancer every day, and approximately 75 per cent of these women are diagnosed at the advanced stage, when it is very difficult to treat successfully.

Ovarian Cancer Australia's statistics suggest that every 11 hours an Australian woman will die from ovarian cancer and that 1 in 77 Australian women will develop ovarian cancer in their lifetime. These are distressing statistics that can be reduced by our awareness of this disease and its symptoms. It is thought that the majority of women are unaware of the symptoms of ovarian cancer, which include an increase in abdominal size or persistent bloating, difficulty eating or feeling full quickly, unexplained abdominal or pelvic pain and changed bowel habits. If these symptoms are acted upon early and the cancer is detected in the early stages, the majority of women will survive.

Donations can be made through Ovarian Cancer Australia to fund community awareness programs, support groups, rural and regional tele-support services and support materials for family and friends of ovarian cancer sufferers. I encourage all members in this place to promote Ovarian Cancer Awareness Month in their electorate, particularly by wearing a teal ribbon on 23 February, Teal Ribbon Day.

Gus Mercurio

Mr LEANE (Eastern Metropolitan) — I pay tribute to Gus Mercurio, who recently passed away. Gus Mercurio was pivotal to Victorian and Australian boxing. He came to Melbourne with the US Olympic boxing team in 1956, and he never left. He was elected vice-president of the Victorian Amateur Boxing Association in 1967. The advent of televised amateur boxing came at an opportune time for him; first he became a referee, and then a comments man.

Gus Mercurio became an Australian citizen in 1989. He never imagined he would have a career in acting; he

always said boxing was his thing. He refereed and judged many top fights. He pressed the Victorian government to tighten controls and regulations after a tent fighter died in Geelong. He was appointed a member of the first Victorian Boxing Board of Control and was on that board for 12 years, one of them as chairman. He was also president of the Australian National Boxing Federation.

Gus Mercurio was instrumental in establishing and running the Australian National Boxing Hall of Fame. He was nominated for induction into the hall of fame twice; he refused the first time because he was a member of the committee.

Gus Mercurio was the chairman of the boxing club with which I am associated, the Michael Victor Canavan boxing club. Without Gus a new Michael Victor Canavan boxing ring would not be opening in Ringwood in a couple of months.

Floods: Stawell and Creswick bowling clubs

Mr O'BRIEN (Western Victoria) — I take the opportunity to commend the many sporting organisations for their recent work in assisting our communities through the floods. In particular I commend bowling clubs. I had the pleasure of seeing two clubs deal with the crisis. The Stawell and Creswick bowling clubs had their new synthetic greens — two greens each — flooded. The damage is estimated at between \$140 000 and \$160 000 per green. I encourage those clubs to continue their efforts to lobby for the reinstatement of their bowling greens.

Dartmoor Bowling Club: synthetic green

Mr O'BRIEN — I was also given the honour of opening the new synthetic green at the Dartmoor Bowling Club on 16 January on behalf of the Minister for Sport and Recreation, the Honourable Hugh Delahunty, and also at the behest of the local member. In attendance were the club president, Robert Liddle, the president of the ladies club, Gwen McMillan, and many members of the bowling community. The opening was conducted by life member Margaret Liddle rolling the first jack and life member Les Smith rolling the first bowl. Visitors and members then enjoyed a wonderful afternoon of bowls, followed by afternoon tea provided by the ladies.

The Shire of Glenelg has generously supported the project with a contribution of \$35 000. In addition the Victorian state government — and I thank the previous government for this — provided a \$60 000 grant for a synthetic green. I commend the bowling community on

its efforts to lobby and achieve a great new opening at Dartmoor.

Rail: regional link

Ms PULFORD (Western Victoria) — I am concerned by numerous media reports about the Liberal-Nationals government's intended 'review' — I indicate the use of quote marks for the benefit of Hansard — of the regional rail link project. This \$4.3 billion rail line was proposed to be jointly funded by the state and federal governments. The commonwealth announced a \$3.2 billion commitment to this in May 2009.

The regional rail link involves a line that will run from West Werribee to Deer Park along the existing — —

Honourable members interjecting.

The PRESIDENT — Order! I understand that this is a contentious issue and that there are some overtones of federal government in it as well, which has obviously provoked the interjections. However, I am keen to have an absolute minimum of interjection in 90-second statements because 90 seconds is not a long time for a speaker, and if they are subjected to a barrage of interjections, it is very difficult for them to get through their statement. It is different in a more significant contribution where there is perhaps some opportunity for a little more interchange, notwithstanding the fact that interjections are unruly. In 90-second statements a point can be made fairly strongly, and I think it has already been made. I think the member ought to have the opportunity to complete a 90-second statement with minimum disruption.

Ms PULFORD — The link will run along the existing rail corridor through suburbs including Sunshine and Footscray to Southern Cross station. What the project seeks to do is, like intertwining fingers, separate the regional trains from the metropolitan trains, giving Bendigo, Geelong and Ballarat trains their own dedicated tracks through the metropolitan system. The project seeks to provide capacity for enough extra train services for up to 9000 additional passengers across the network in peak hour — a capacity that will be required to support projected population growth in our regional cities. It will free up critically needed space for additional suburban services as well — if the project is not canned by the new government — on the Werribee, Sunbury and Craigieburn lines.

I call on the government to learn the lessons of the Kennett and McNamara experience and to not abandon regional rail again.

Jill Lindsay

Mr DRUM (Northern Victoria) — I wish to use my 90-second statement to pay tribute to the late Jill Lindsay. Jill Lindsay was one of the true female pioneers in the Victorian Football League and the Australian Football League. She was in her position in the AFL organisation for 41 years until her passing earlier this week. She truly was a lady of immense competence and ran that organisation as though it was just second nature.

My last personal dealing with Jill was when I needed to take a young man from my electorate who had recently been paralysed in a car accident to have a day at the football. Jill was able to come good with the tickets for him, a car parking space under the ground and a viewing space for the carer — and then all of a sudden Jill appeared and offered to take this young man down into the rooms to see his heroes. She truly was an outstanding lady. The AFL and Victoria will be much the worse for her passing. I convey my condolences and best wishes to her family.

Legislative Council: former members

Mr LENDERS (Southern Metropolitan) — There are six new members of this chamber following the election, and I congratulate them all. But I want to spend a bit of time commending those who have left us.

Mr Vogels had a very fitting tribute when he left, and we had the chance to acknowledge him. Mr Madden chose not to give a valedictory speech or eulogy. Four other people left us, and that is the nature of democracy, but I would like to acknowledge the contributions of Bob Smith, Peter Kavanagh, Jennifer Huppert and Nathan Murphy to this place. Three of them were Labor Party colleagues of mine. Bob Smith served here for 11 years, Jennifer Huppert for 2 and Nathan Murphy for 1, and I pay tribute to them.

I had great joy in working with Jennifer as a co-member for Southern Metropolitan Region for 22 months. I think she can make a great contribution, and I hope she will come back to this place again. I worked with Bob Smith for 11 years and Nathan Murphy for 1 year.

I would also like to pay tribute to Peter Kavanagh. As someone whose party lost its representation in 1958 and who came back all those years later, I think Peter made a great contribution to this place. It would have been

very lonely being the sole member of a party without support.

I miss the four of them. In politics the central proposition is that the voters always get it right, and I am not questioning that. But the human side of it is that there were four people whose great dreams and great ambitions were crushed late last year. That is reality, but I think they deserve some respect. I would like to pay tribute to the four of them for their contribution to this house during their respective periods of time here.

Vietnamese Lunar New Year celebrations

Mr ELSBURY (Western Metropolitan) — I would like to rise today to highlight the great contribution the Vietnamese community has made to the fabric of our society and in particular the western suburbs. Those who emigrated from Vietnam during a time of great turmoil have now established their businesses, built their homes, raised their families and also expressed their unique cultural heritage.

Recently I was fortunate to celebrate the Lunar New Year with members of the Vietnamese community from across the western suburbs. At the Indochinese Elderly Refugees Association Victoria dinner I met many people who have contributed greatly to their community — not just to the Vietnamese community but to our community in a broader sense — including a gentleman who had received an Order of Australia award.

I also attended the Quang Minh Tet festival at the Quang Minh Temple in Braybrook, or the bright light temple where I again experienced this unique culture in the vibrancy and colour of their celebration. Both events were displays of great vibrancy, but there was more of a solemn reflection at the Quang Minh Temple.

I wish all members of the Vietnamese community and the broader western suburbs a happy new year, and I sincerely hope that the Year of the Cat treats us all well.

The PRESIDENT — Order! It is the Year of the Rabbit.

Mr ELSBURY — Not in Vietnam.

Floods: Victoria

Mr EIDEH (Western Metropolitan) — Much has been or will be said in both our Parliament and the federal Parliament about the floods and other natural disasters that have caused so much pain. With enormous respect for victims in other states to whom we are sympathetic as Australians, I rise on this

occasion to speak about the floods that have hit Victoria, floods that have ranged from very considerable inconveniences to destruction.

Sporting ovals have effectively been drowned, businesses have been destroyed and homes have been obliterated. Lives have been shaken badly and hurt beyond what most of us could ever imagine. Fortunately most of us have never been the victim of a natural disaster — and I would not wish such pain upon anyone at all.

Many Victorians are suffering at this very moment while we are all safe and dry in this place and in our own homes with our families. They are struggling to cope with the nastiness of Mother Nature, and they are lucky to be alive. They are also fortunate that many of their own risked their lives to save others. I speak of the wonderful people of the State Emergency Service, the volunteers who are as close to being angels as we could find and have proven their dedication to the community.

FLOODS: VICTORIA

Mr TEE (Eastern Metropolitan) — I move:

That this house —

- (1) notes the unprecedented flood disaster in Victoria which —
 - (a) has affected 94 towns across 25 local government areas in Victoria and inundated or isolated up to 3000 homes, business and farms and displaced more than 6000 people to date; and
 - (b) has damaged or destroyed infrastructure including roads, bridges, health and community facilities such as hospitals, sporting clubs and public halls;
- (2) expresses its concern and support for Victorian families affected by the floods and for emergency services workers and volunteers who are working tirelessly to protect these Victorians; and
- (3) calls on Premier Baillieu to deliver on his plans for an independent review of the floods. This review should —
 - (a) examine and make recommendations on the state's response to the floods;
 - (b) recommend improvements to the preparation and planning for future flood risks;
 - (c) visit flood-affected communities and call for public submissions; and
 - (d) make interim recommendations by 31 August 2011 and to provide a final report by 1 January 2012.

In moving the motion and taking this opportunity to speak on it, I think in many ways it neatly complements the debate we had yesterday in relation to the impact of the floods on Victorians. Yesterday's debate and the contributions made in this chamber focused rightly, as does my motion, on the devastation that was caused by the floods and their impact on Victorian individuals and families. The motion focuses in paragraph (2) on the hard work that is being done by volunteers to save those communities and homes and in many ways start the recovery process.

It is worth noting that the flood is in different stages in different communities. Some communities have been affected for the third time. For some there are still flood risks and concerns, and for others the clean-up and some of the rebuilding have already started.

I was prompted to move this motion today by my concerns about the government's delay in providing for a comprehensive review of the floods that would put us in good stead for the future. In drafting the motion I was motivated by the fact that immediately after the bushfires of 2009 the former government initiated a comprehensive review. I noted that in Queensland the review of the floods commenced some three weeks ago, yet in Victoria the government was silent on its intentions to review the floods and to make sure we are better prepared for future flood events.

I think it is important that we move quickly to establish a review. It is important not only because it takes a while to set up the machinery of a review but also because you want to have people being talked to and communities being engaged with while events are still fresh and while people still recall clearly what occurred, when and how. You want to have the opportunity for those conducting the review not only to go and visit those communities and speak to the individuals concerned but also to see firsthand the impact of the floods, how the floods caused devastation and how they moved. That firsthand experience and evidence is critical to a comprehensive review that is actually going to assist us in preparing for future flood events.

I thought it was important that the government should take action, and I was concerned by its inaction in this area. I suspect that concern was intensified by the fact that for some communities this had been the third event in the last 12 months. We know that with climate change we will be seeing more and more unusual and extreme events, and it is really important that the government assist communities by helping them to plan better.

Part of the issue in terms of the delay is that people are now cleaning up, they are starting to think about the rebuilding and they are starting to rebuild. It is important to get the review under way so that any findings of that review can be incorporated into the rebuilding stage. It is important to learn the lessons of the review and to do so in a timely manner so that as people rebuild and start putting their homes back together they are able to do so in a way that ensures that the best technology and the best science are used.

It was on that basis that seven days ago I forwarded my notice to the Leader of the Government, Mr David Davis, and I was very pleased yesterday when the government responded by announcing that it would conduct that review. In that sense I am pleased the proposed review has had some impact. However, I am very concerned about one aspect of the details that have emerged concerning the review the government has announced. While, as I said, I welcome the fact that we will have a review — and I hope it is comprehensive and leaves no stone unturned, and we are yet to see some of those details — what concerns me is that it appears the report will be submitted to the Premier. It appears that the report — certainly the interim report and the final report — will be submitted to the Premier. I would have thought it would be appropriate that the report would also be submitted to the public. I want to make sure that there is a commitment by this government to openness and transparency, a commitment that the report to the Premier will be made available to the public as soon as possible.

I urge the government to make sure that the review is unrestricted, that it is a root-and-branch review, that it looks at every facet of flood preparedness, that it ensures a proper reckoning and that it takes into account the fact that we know there are going to be more events of this type in the future. This review should help ensure that the devastation and impact on people's lives is minimised, because if we do not take this opportunity to learn, then we are putting the community at risk of the same flood events in the future. There will be the same consequences to the financial wellbeing of the people in those communities and even greater consequences in terms of devastation to communities and devastation to individuals' emotional lives and otherwise.

I urge the house to support the motion. Again I thank the government for taking up the motion and responding through its announcement of a review yesterday. Now I urge the government to get on with the job.

Mrs PETROVICH (Northern Victoria) — I rise to respond on behalf of the government to the motion put by Mr Tee. I reiterate on behalf of the government that this is an ongoing issue for many communities. Many of the floodwaters, particularly in northern Victoria, have not peaked, so it is very important that we be sensitive to what these communities are going through and be mindful of providing real and practical assistance to them. Any attempt to politicise this issue would be in very poor taste.

We have learnt a number of lessons from the bushfires royal commission and Black Saturday, and the Baillieu government has acted quickly to implement immediate assistance for the communities that have now been affected, the details of which I will go through in a moment.

Before I move into the main body of the government's response I would like to put on record our sympathy for people in other states who are being impacted upon by floodwaters and bushfires, including cyclone and flooding in Queensland and the bushfires that are causing difficulties in Western Australia. New South Wales has also been affected by flooding. There is a real irony in the diversity of weather patterns across our states, and some fabulous people are out there volunteering, helping and getting things on track. Some great leadership has also been shown, including that of the current Queensland Premier, Anna Bligh, who is to be commended.

I would also like to pay tribute to our emergency services personnel, who have once again responded selflessly. Our Country Fire Authority and State Emergency Service officers and Victoria Police are always on the spot and ready to assist. Other volunteer organisations that deserve recognition include the Country Women's Association, Lions clubs, Rotary clubs, BlazeAid — which was mentioned yesterday — and many others that, in their usual style, have pitched in to assist. Volunteers have come from other states, while volunteers have left Victoria to assist people in Queensland and firefighters have left Victoria to assist those in Western Australia. In true Australian style, when we have some difficulties we all jump in to help each other.

In response to our current flood crisis, the Baillieu government has established a comprehensive review of a range of issues, including flood warnings and emergency responses, which is to be undertaken in response to the severe flooding across Victoria. The Premier has been out on the ground from day one, as have other coalition members, to assess the damage in each area — the difficulties, the emotional traumas, the

physical injuries and the damage to property and lifestyles. This is an ongoing issue for Victorians.

This is the third time floods have affected Victoria, and we are very mindful of that. In January alone more than 20 per cent of Victoria was affected by floods, and that included 1800 properties and 5000 people in 83 towns across the state. We will continue to support flood-affected communities in their clean-up efforts. Today we are announcing a further extensive review to ensure that every effort is undertaken, in particular to investigate aspects of flood mitigation management and recovery as well as identifying the best ways to manage major flood events in the future.

In his motion, Mr Tee highlighted four key points. In our evaluation of the current situation we have addressed seven key points. In 2010–11 the flood warnings and response review will examine the adequacy of flood predictions and modelling; the timeliness and effectiveness of warnings and public information; emergency services command and control arrangements; the adequacy of evacuations of people most at risk, including those in health and aged-care facilities; the adequacy of clean-up and recovery efforts; the adequacy of servicing delivery by federal, state and local governments; and the adequacy of funding provided by state and federal governments for emergency services grants.

In this review we will seek advice from experts in the field of flood management, and it will involve extensive community consultation, especially with regard to emergency warnings and evacuations. We have a time line on this report, and it will be submitted by the Premier by 30 June, with the final report due on 1 December. We believe that the findings of this report and the review will help guide the coalition government's response and planning to make sure Victoria is better equipped to deal with similar severe flooding events in the future.

It is very important to note that with the frequency of these natural disasters we need to be prepared and we need to be cognisant that it is important to have adequate responses and planning, and in our response that will be something we will be right on top of.

The Auditor-General's report *Managing Stormwater Flooding Risks in Melbourne* tabled in July 2005 noted:

Agencies face a number of challenges in reducing existing flood risks for their stakeholders:

increasing high-density development has reduced the area of porous surfaces that soak up stormwater ...

... urban development has occurred without full knowledge of the location of flood risk areas;

flood mitigation work such as increasing the drainage capacity or constructing retarding basins is usually too difficult and expensive because of the existing pattern of urban development.

Unfortunately 11 years of neglect and a lack of proper planning has led to a range of issues, and a one-size-fits-all planning scheme has not helped. The underfunding of local councils and an increase in their responsibilities has made it increasingly difficult for them to be on top of some of the immediate issues for communities. We are very committed to providing proper planning and an appropriate response to the needs of communities. We have a growing community in Victoria, and it is important that we ensure that with growth comes appropriate planning from a social and infrastructure point of view.

In the very early days of the floods I was very proud of our Premier, Ted Baillieu, who was out on the ground along with our coalition colleagues visiting many communities across the flood-affected regions. This is not the first time; he also attended those regions at the time of the two previous inundations.

We acknowledge Victorians' toughness and resilience, but Victorians in rural areas have been through 11 years of drought and have suffered through bushfires; they need our support. One of the issues I would like to highlight today from a local representative's perspective is the plight of our rural communities which have been through 11 years of drought; many of them have been fire affected; they are now flood affected.

Much of the infrastructure in these communities has been damaged by not one but three floods. Some of the roads that local councils have replaced have had to be replaced up to three times. Many of the special projects in parks and gardens have been destroyed more than twice. The grounds of the Newbridge Football Club, which house not only the football club but also the tennis club and the netball association, have been completely destroyed. As I said in my contribution to the condolence motion yesterday, we have to acknowledge that these communities are reliant on these places as their meeting places and for their social gatherings, and they are very important to the health and wellbeing of those communities.

It will be very important to assist the rural communities and the farming communities in particular; as I said, they have been through 11 years of drought. It has been a very tough time financially. We need to assist them in some way to replace fences. Many of those fences are uninsured and are uninsurable. We need to give them a

start and acknowledge that the good year that they were going to have after 11 years of very bad crops has been wiped out. They will now have to use their winter feed on the surviving stock, which will leave them short over the winter period.

It is important that we acknowledge the difficulties these communities will undergo. In my travels I have seen the same expressions on people's faces as I saw after the bushfires. Many people in these communities have been traumatised. There is talk of post-traumatic stress; this condition is very real and it is very sad. The difficulty is that those suffering from this condition often do not ask for assistance, particularly the blokes. On behalf of the Baillieu government I need to say to those people that we are there for them.

In the very early days after the January floods we announced an extensive program, which was headed up by a cabinet flood task force chaired by the Premier, Ted Baillieu. The task force was to coordinate immediate additional help for affected families, businesses and communities, providing food and assisting with clean-up. Support for local councils was forthcoming in the management, collection and clean-up of household goods, as I mentioned yesterday. The waiving of associated fees, assisting local councils with the clean-up, was very important. As part of those measures there was a \$5 million fund for tipping, waste disposal and restoration of streetscapes, which was administered by municipal emergency coordination centres across the state.

There were also initial services for affected communities providing food, generators, kitchens for hire, toilets for hire, feed for livestock and immediate assistance with the recovery and return of stray stock. Financial support of up to \$15 000 for clean-up and restoration grants was brought in. State and commonwealth financial support for community groups has been around \$4 million and will provide community groups with recovery activities and community asset repairs.

Funding has been provided for repairs to infrastructure, including roads and bridges, for communities and local governments. In my travels, as well as in the travels of many members, we have seen that that is one of the big issues for rural communities and local government. Many of these councils are cash-strapped because they have such small communities and low rate bases. They struggle to keep up to date with funding for their hundreds of kilometres of road infrastructure, and this funding will assist with that.

There has been assistance for agriculture in consultation with the Victorian Farmers Federation — and the VFF has been doing a fabulous job in response to needs around fodder and assistance with fencing. We also need to ensure that insurance claims made by affected people are processed as quickly as possible. It is very frustrating when that does not happen.

I would also like to commend the Premier on the bringing in of the Victorian Red Cross flood appeal. The Red Cross was fantastic after Black Saturday; it was on the ground immediately. The coalition will provide an initial \$1 million contribution to this fund — as a starting point. One of the issues concerning me and many others in the coalition is assistance for business and tourism. It was mentioned in coalition members' contributions yesterday that some areas that have recovered very quickly are open for business. As part of the recovery it will be important for us to ensure that tourism is supported. There is an additional \$1 million fund for supporting business and tourism in areas that have been flood affected.

In conclusion, in response to Mr Tee's motion I will say that he mentioned the previous government's post-Black Saturday review. I must say a very different management style has been in place since the November election, and in no way do we wish to replicate the last 11 years of the Bracks and Brumby governments.

Mr BARBER (Northern Metropolitan) — The Greens believe it is appropriate there be a review of the recent flood events in Victoria and that it be conducted at arm's length from the mechanics of government. The floods were costly and disruptive, and the effects will continue to be felt for years. Most importantly, this is not the last time we will face such an event.

The issues that deserve public exposure include the effectiveness of the emergency response in the clean-up or the aftermath as well as the preparation and actions taken to mitigate the effects. The aim of this inquiry will of course be to put the lessons learnt into the public domain so that all with an interest can play their part in minimising the effects of the next major flood. I welcome the government's timely announcement, made yesterday, that it will ask Mr Neil Comrie to head up such an investigation.

Flood-plain mapping indicates that large parts of northern Victoria are subject to inundation during these events, so the scale of the flood would not have been any surprise to the responsible authorities. However, just going by early reports, we experienced some record-breaking flood levels, and that is important. As

well as the economic losses of production and property, there are public assets to be rebuilt and impacts on human health and wellbeing which could include those effects of dampness and disease that can be chronic and can remain for some time to come. I would not expect yet that ministers, particularly the ministers in this house, would have a complete picture for us of the impacts in areas such as housing, urban planning, the environment and public assets, but by the time we come back here in March I have no doubt we will have that assessment and that there will be an opportunity for us to learn a bit more about that.

For Mr Comrie to address the very first of his terms of reference, that relating to flood mitigation, we will need to answer the question: how big will the next flood be, and how soon will it be? If it sounds like I am suggesting some sort of crystal ball exercise there, in fact that is exactly the kind of data that hydrologists, flood engineers and planners work with. It is essential data they use to do their work. It is a requirement of the Water Act that flood planning be done on a 1-in-100-year flood basis. That is a colloquial description; technically what that refers to is a 1 per cent annual probability of that event occurring. That means the probability of such a flood happening next year, if it was the 1-in-100-year flood, is 1 per cent, just like the probability of having such an event this year was 1 per cent. Flipping six heads in a row with the toss of a coin does not change the probability of that next coin toss being 50:50. We need to approach this issue as if the next flood is right around the corner.

To minimise these effects we need better planning for flood mitigation. Section 203 of the Water Act requires the Minister for Water and the responsible authorities to create floodways and land-subject-to-inundation overlays to restrict or guide development in flood-prone areas. There are two instruments: floodways are typically for areas where water is likely to be moving very fast and doing damage in that way, whereas the broader land-subject-to-inundation overlay indicates that water may rise as a result of a flood spreading over a flood plain.

I have been able to determine that for the Wimmera River such overlays were updated in 2008 and 2010 via a public process, and they appeared in *Victoria Government Gazette* in that form. I have not been able to immediately find evidence that this has been done recently for other northern rivers, so I am left wondering when the current overlays were created and on the basis of what assumptions. Section 204 of the Water Act specifies that the risk to be assessed is on the basis of a 1 per cent chance of occurrence. This is quite a small probability, yet we plan for it.

In order to make these determinations in relation to urban settlement and long-term planning, particularly for infrastructure, we would need to make some assessment of the likely impacts of climate change on these events. If Mr Comrie is interested, there is a report on the government's website entitled *Infrastructure and Climate Change Risk Assessment for Victoria — Report to the Victorian Government*, dated March 2007. In that report there are a number of assessments of the likely impact of climate change on extreme rainfall events to 2030 and 2070. Simply knowing what the average rainfall might do across a region of Victoria is not enough for the sort of planning we need to undertake to mitigate floods. We need to understand rainfall events that might occur over a couple of days or even hours and over an area as small as in the tens of kilometres in order to be able to design actual measures, whether they be physical structures, emergency plans or whatever. We could literally be talking about the impact as it occurs in one small part of a catchment on one river, thereby affecting one town.

Using the mid-range emissions scenario of the Intergovernmental Panel on Climate Change, the report finds that increases in extreme daily rainfall are likely but that decreases are also possible in some regions and seasons. It finds that by 2070 the annual 1-in-40-year event becomes 8 to 14 per cent more intense in all regions except for south-central Victoria. This was done on the basis of a fine-scale assessment down to the tens of kilometres and by looking at hourly and daily rainfall events. While there is a whole range of different data that comes out of these models, we need to face the fact that the data we are working from now is simply the accumulated record for the last 100 or so years. As a tool to predict the next 100 years, that has its limitations too, just as computer modelling does.

The results from the models are quite variable, but in a lot of cases they show quite significant increases in extreme rainfall events during spring and summer, which is exactly what we have just seen with the quite unusual rain event that happened in the middle of January when we are all normally baking in the heat. At the more extreme end of some of the estimates they are looking at a 24 per cent increase in the severity of the 1-in-40-year event in north-western Victoria. Whether you want to use the last 100 years, the most recent flood or a computer simulation, there are some large numbers to be plugged into our new flood models, and it is essential that that is done. If we do not do that and if we avoid that exercise at the first step in the first terms of reference of this inquiry on flood mitigation, how will all the other aspects of flood response make sense? They will not.

There is further evidence emerging on this issue, and a number of members in the lower house yesterday referred to a number of phenomena that were quite obvious immediately after the floods. For instance, in the headwaters of the Loddon and Campaspe catchments we have two sets of large storages. Each storage holds about 300 gigalitres of water, which is a significant amount of water and similar to the amount of water that Melbourne uses in an average year. Back in June 2010 those storages were pretty close to bone-dry empty. By following the trace on Goulburn-Murray Water's website it can be seen that in September, Lake Eppalock received something like 100 gigalitres of water, seemingly in one day or at least in a very small number of days. In December it received another 70 to 100 gigalitres of water over just one week. It went from bone dry in July to full to the brim in December. This means that every bit of rain that landed on that catchment in January this year went straight over the spillway and down the Campaspe River towards Rochester.

The member for Rodney in the lower house, Mr Weller, noted that the river in Rochester peaked at 9.17 metres, which was above the major flood level of 9.1 metres, and that as a result 80 per cent of the town was inundated. He raised the question — although he did not provide us with the answer — of how the rules for Lake Eppalock should be changed in order to allow for some airspace, if you like, for the purposes of flood mitigation. I do not have the full data on how Goulburn-Murray Water operated the Eppalock storage during this period — that data will eventually appear on the government's water monitoring website; perhaps in a few months time — but it is pretty clear to me that that dam was filled up and left that way without anybody expecting there to be a third significant rainfall event in January and that no significant airspace was created in that dam. We will have to learn a little bit more about that. A similar situation occurred at the Loddon storages, and Bridgewater was the first town to be affected downstream.

The Minister for Water also told us that newly constructed chicken meat sheds owned by Hazeldene at Prairie were built 1 metre above the 1-in-100-year-flood level, yet they were flooded. So a comprehensive exercise involving a review of our flood levels by the Minister for Water and his delegates — usually the catchment management authorities — with the results to be inserted into the planning scheme of the Minister for Planning needs to take place rapidly before we can even begin to do all the other parts of the flood response exercise. I have no doubt the government will not simply be outsourcing that to

Mr Comrie; the government will be working on it as we go along.

Just to finish on the subject of climate change impacts, that matter feeds into the climate change adaptation plan that the government is now required by law to prepare by December 2012. The act sets out that it must contain, firstly, an outline and risk assessment of the potential impacts of climate change on various regions of Victoria specified in the plan and, secondly, a statement from the government of Victoria of statewide priorities and strategic responses for adaptation to potential impacts of climate change. I certainly hope this inquiry will provide some of the information necessary to begin preparing that plan.

It is quite notable when you look at the rainfall map for the week immediately preceding the floods and the beginning of the week of the floods that there was an extreme rainfall burst. It is quite obvious from the map. It occurred right at the headwaters of the Campaspe and Loddon rivers. It was a significant amount of rainfall; we were told by the Minister for Water that in one instance the area received what would normally be two-thirds of its annual rainfall over a series of just a few days. That obviously is an extreme event, and it is clear that it has exceeded the planning predictions that we were making. It is incredibly important that we readjust our expectations of future floods so that we can then work on all those other aspects and ensure that the community is better able to respond.

The actions this government takes now will determine how it is judged when the next flood inevitably comes, and none of us knows when that will be. For that reason we welcome the government's establishment of an inquiry. We will obviously be watching it closely and participating in it. We will also be by asking questions of ministers in this house and working through those other mechanisms. We therefore support Mr Tee's motion. In doing so we send our best wishes to flood-affected communities. We will work with them to ensure that they recover speedily and are able to maintain their vision for the future of their communities, which everyone hopes will be a prosperous one.

Mr SCHEFFER (Eastern Victoria) — I speak in support of the motion moved by Mr Tee, and in doing so I welcome the government's announcement that it will establish an inquiry into the Victorian floods. I was pleased to hear from Mrs Petrovich the outline of some of the details of the inquiry the government will undertake. I also acknowledge the efforts the government is making to support communities across this state that have been affected by the floods.

Yesterday members reflected on the impact of the floods of the last few months on eastern Australia and on Victoria in particular. Many members spoke with great feeling about the pain many Victorians have endured as they waited, for days in some cases, for the waters to slowly rise or, as they rapidly mobilised in other circumstances, to manage flash floods that took communities by surprise. In all cases, whether they were on the land or living in the towns and cities, people were supported by the State Emergency Service (SES), Victoria Police, local, state and commonwealth government departments, community organisations such as the Red Cross, and neighbours and families.

Victorians are experienced in dealing with natural disasters. We need only look at the way communities work together in the face of natural disasters to appreciate the phenomenal expertise and organisational effectiveness that exist in almost every town in this state. This high capacity does not happen of itself. We can see that many other countries cannot match what we achieve here. The media and others often attribute this community skill and competence to some kind of inherent Australian superiority — that somehow it is the Aussie spirit of mateship that gets us through. This is nonsense of course. People all over the world care and risk life and limb for each other every bit as much as Australians. We do not have a monopoly on tight-knit communities, and we do not have a monopoly on spirit or bravery.

But what we do have is wealth, social stability and a huge capacity to research and learn from accumulated experience. The critical tool we have adopted is the expert, publicly transparent inquiries that examine the ways our organisations conduct themselves in protecting the community in the face of disaster. Through this process the evidence is marshalled, the experiences of individuals and communities are documented, witnesses are cross-examined, expert opinion is enlisted and recommendations are made to improve the practice and hold to account those who failed in their responsibility and duty.

Experience tells us that governments are popular during a natural disaster crisis because at those times the community looks for leadership, everyone works together and criticism is constrained. But once the crisis passes and the long march of recovery and reconstruction is under way, critics begin to throw light on the errors and failures of those in authority. The inquiries unravel the complex story of achievement, shortcomings and failure, and little by little governments sustain protracted criticism.

The bushfires royal commission is the most recent example of this. The former Brumby government was well aware of this political trajectory, and it did not delude itself when it appointed the Honourable Bernard Teague to head up the inquiry into the February 2009 bushfires. It knew it would inevitably sustain some political damage, but the imperative to reveal the truth could not be compromised for political advantage. Citizens have the right to know, and this generation has a responsibility to maximise the security of future generations by improving practice so we can continue to be resilient, self-reliant and capable in the face of natural disasters such as the recent floods.

In January the floods were confined initially to the rural north-west of the state, and in some areas, such as Swan Hill, Robinvale and Mildura, there was a prolonged and slow rise of the waters. More recently, high humidity and heavy rain resulting from the southern flow of warm air from the low-pressure system left over from Cyclone Yasi, caused many flash floods across metropolitan Melbourne and in West Gippsland.

As members on both sides of the house indicated yesterday during the debate on Mr Davis's condolence motion, the floods have affected 27 municipalities, 97 townships and 3000 homes and impacted on the lives of around 7500 individuals. Hundreds of dairy and beef cattle, thousands of sheep and hundreds of thousands of birds are dead or missing and lost to producers. As well, farmers have sustained major losses of fencing and field crops as well as grazing pasture, and there has been extensive damage to roads, bridges and community infrastructure. The loss has been significant, and yesterday Mr Davis put a provisional figure on the cost of the floods of around \$340 million.

The response to the floods has involved a wide range of actors. I have already mentioned the State Emergency Service, the Country Fire Authority, Victoria Police, the Red Cross, St John's Ambulance, the Country Women's Association and all the service clubs that have carried out a range of initiatives during the flood incidents.

People affected by the floods have lots of ideas and experiences that need to be taken into account in any inquiry. For example, they have asked the government to provide financial support to local councils so they can defer rates instalments and charges for flood-affected ratepayers. I understand they have also asked for support for farmers through the appointment of local boundary fencing coordinators and the provision of teams of engineers and other expert surveyors to assess the extent of damage to roads and

other public infrastructure such as bridges and community facilities.

I indicated yesterday in my contribution to Mr Davis's motion that the West Gippsland floods have devastated many farmers, spoiling their broccoli, asparagus and potato harvests. In conversation with one local farmer I was told that no advance SMS warnings were received from the SES and that Bunyip residents were inundated prior to the river bursting its banks; they were being inundated by water run-off from the uplands — the hill areas.

I have been told there was also confusion over the timing of the flood warning. Some say the warning was posted on the Bureau of Meteorology's website at 9.15 a.m., and others say it was posted at 3.45 p.m., but in either case the time was inadequate because the Bunyip River burst its banks at 4.00 p.m. They tell me that the evacuation warning to Iona, for example, was sent at 9.00 p.m. I was told that local people relied on local knowledge as there was no reliable help from the SES and that farmers who are suffering fodder loss are not being assisted by the shire or by the government. That is what I hear; that is what people are telling me, and clearly this is an issue that needs to be picked up in an inquiry. That is why we need an inquiry, and it is why the inquiry is welcome.

As well, there is the issue of the reported damage sustained by the desalination plant, which members would have seen written up in the media, and whether the state's stormwater system is adequate. The Deputy Premier, Peter Ryan, said he thinks the emergency management system worked effectively, but some farmers in the Bunyip area do not seem to agree. All this points to the need for the government to establish an independent inquiry — which it has done, and that is welcome — so we can better understand the situation at the present moment and also to take on board what we need to do in the future to assist people in any flood circumstances, which I guess will occur with greater frequency. The opposition is pleased the government has decided to instigate a review into the floods. We believe that the inquiry, headed by Mr Comrie, should be required to travel to flood-affected areas, which is accepted practice, to hear from people and to receive their submissions.

I support Mr Tee's motion, and I commend it to the house.

Mr DRUM (Northern Victoria) — Just at this moment this is still a very real issue. The floods are still ever present in the north of the state, and certainly our thoughts are with the people who have been isolated

and inundated and who have been living with the constant threat of inundation for a number of weeks now. Our thoughts go out to those families who find their properties still in the path of the waters as they flow toward them.

Sometimes we need to think about and truly try to understand the lot of someone when their house is inundated by floodwaters. It has taken quite a while for me to understand the absolute disconnect they have from their normal lives. To stay with friends for a couple of days is an option if you are lucky. Many people who were not that well connected with various networks were forced to sleep in evacuation centres set up by councils and were fed by the local Rotary club. The Department of Justice had a food van at Charlton to assist in the feeding of the communities, because the communities had no way of feeding themselves.

After the initial stage has come and then gone, you find that these people are aching for their own bed. They are aching for their own couch and aching for the luxuries of life. When they are deprived of the normal things of life then you have to try to understand what they are going through. Their exhaustion and frustration, normally coupled with the loss of belongings and financial hardship, can be coupled with a loss of production or a loss of stock on the land or the fact that no-one is going into their store because they are isolated and cannot get in stock. All of those factors can contribute to a state of mind which can create a very dangerous cocktail within our communities. As parliamentarians we need to be aware of that. We need to get out into the communities as much as we can, and we need to understand the hardship that has been foisted on our people as best we can.

That is why it was so impressive to see the Premier, Ted Baillieu, and the Deputy Premier, Peter Ryan, immediately on the job and getting out into the flood-affected areas and offering support and the reassurance that this government will not forget anybody who has been affected by the floods.

The government maintains its stance that it will support the immediate flood evacuation tasks and the issues associated with them and will then, through a range of departments, assist in the clean-up, and following that it will assist, through policy, in the recovery.

Not only that, the government has been proactive in realising that there are a number of unanswered questions and that we need an independent investigator to have unfettered access to all the issues surrounding the floods so that we can better prepare for the future. It has led the way by installing Mr Neil Comrie to lead an

independent review that will take place immediately. Mr Comrie has extremely strong credentials. He is seen as having been thoroughly competent in his role of ensuring the implementation of the recommendations of the 2009 Victorian Bushfires Royal Commission. We have every confidence that he will do an equally competent job in this inquiry into the floods.

A government press release quotes the Premier as saying:

The coalition government will continue to support flood-affected communities in their clean-up efforts, and today the coalition is also announcing an extensive review to examine every aspect of flood mitigation management and recovery and to identify the best way to manage major flood events in the future.

That is a very important statement. This inquiry is about examining every aspect of flood mitigation and management. It is not narrow or pointed so that the government can get a result that suits it; it is open. If Mr Comrie believes he needs to inquire into the clean-up of certain waterways or into the issue that Mr Barber raised today and Mr Lenders raised yesterday in the adjournment debate — that even after the 10 years of drought that has racked the state, we may need to reserve 10 per cent of airspace at the top of our water storages as a flood mitigation policy — he can do so. However, I will comment on Mr Barber's statements about Lake Eppalock. Water can only be released from Lake Eppalock quite slowly. The water might fill the storage at 100 gigalitres a day in the middle of a storm, but my understanding is that the size of the pipe limits the amount of water that can be released to about 140 megalitres a day, so it will take several months to release the amount of water that flowed into the reservoir in one day. It is not as easy to get the balance right as Mr Barber may have suggested.

Mr Barber interjected.

Mr DRUM — Drill a bigger hole, Mr Barber suggests. That is another issue that will be investigated by Mr Comrie, and we welcome that. However, we need to understand the infrastructure as it stands at the moment.

Mr Scheffer questioned whether certain residents were warned in time. Obviously people were inundated; they were not warned in time. However, it is interesting that the Deputy Premier was criticised for overreacting and unnecessarily asking people to leave their houses in the Koo Wee Rup and Bunyip areas. In a sense it is a bit of a damned if you do, damned if you don't situation. While we understand that it is the role of government to make these decisions and that when you make a decision you open yourself up to criticism one way or

the other, we also need to understand that this is very much an inexact science. When the catchment management authority was asked about the height of the flood that was coming through Rochester in January, the advice it gave the State Emergency Service, which was then conveyed to the town meeting, was some 500 millimetres out — and those 500 millimetres made all the difference in the world when it came to inundating 80 per cent of the houses in Rochester. Local knowledge can sometimes be a better determinant of expected floodwater heights, and the updating of records will possibly put us in a better position for future floods.

Another question we need to get our heads around is whether what happened in January was a 1-in-100-year flood — so that we now have new 1-in-100-year flood levels — or a 1-in-200, a 1-in-500 or a 1-in-1000-year flood event? I do not know how we can find the answers to these questions, because we simply do not know. It may not rain like that and our waterways may not reach those heights again for 500 years. The levels that were reached in January may have been absolutely freakish, so should we deny people access to camping grounds at Newbridge and prevent them from putting their caravans at Bridgewater or building a new sports reserve where the previous sports reserve has been ruined? No-one can give a definitive answer to those questions.

Mr Tee's motion notes that 94 towns have been affected by the floods. I commend the volunteers and workers who in many instances worked without authority simply to get the job done and save their towns. If they had waited for every council to approve every grader, half the towns that were saved would have been lost. We need to acknowledge that.

An enormous amount of damage has been done to infrastructure, in particular roads and bridges. It is interesting to note that when it was questioned about road damage the previous government effectively washed its hands of damage to VicRoads roads, which are state government roads. In answer to a question without notice, former Minister Lenders in effect said there was no road damage on state government highways. Previously I had been out and had taken a range of photographs to show him that the damage was clear and dangerous and needed to be addressed quickly.

We now know that the damage to our roads and bridges has been multiplied 100-fold and that it will take a concerted effort and it will be an expensive process to go back and fix the roads that are the responsibility of the state. We also have to understand that the local

government structure will be incapable of fixing up damage to local government roads. It has all been hit in the one go. There needs to be some understanding about putting in a program around returning our roads to the state they should be in.

The second paragraph of Mr Tee's motion is that the house expresses concern and support for Victorian families. Certainly he has the full support of both sides of the house in expressing thanks to and concern and support for the volunteers and emergency services workers for the work they have done.

The third paragraph of Mr Tee's motion calls on Premier Baillieu to deliver on plans for an independent review — and it is interesting that he would bother putting this in because it has already been done. The review is to:

- (a) examine and make recommendations on the state's response to the floods —

That will happen; there is no doubt —

- (b) recommend improvements to the preparation and planning for future flood risks —

I am sure that will happen. Everything is on the table; everything is open with this inquiry —

- (c) visit flood-affected communities ...

Mr Baillieu has done nothing but visit flood-affected communities, and Peter Ryan, the Deputy Premier, has done nothing but visit flood-affected communities. They have been living this nightmare with our people day and night, since the first town was inundated, and they have been constantly on call. All our ministers and even coalition backbenchers have been up at Cohuna sandbagging and trying to help the communities. They have been doing everything they possibly can to help those communities work their way through this horrible nightmare.

I do not know why Mr Tee would call on the Premier to visit flood-affected communities when he has in effect been living in regional Victoria for the last few weeks. Then he asks for interim recommendations to be made by certain dates. We are not going to be working to Mr Tee's dates. The dates are already set out, and we will work to our own agenda, which sets out when the interim report is handed down and when the final report is handed down, even though there appears to be little difference between what Mr Tee has asked for and what the government has set down for Mr Comrie to achieve.

With that I would like to thank all those people I have worked with over the past few weeks. Whether it be the people at the Buloke shire, the people at the Loddon shires or the volunteers at Charlton, Kay Cossar and her group and Peter Whykes; or whether it be Ronnie Trimble and Peter Lakey from Newbridge, enormous support has generated from within the communities through the volunteers. I want to congratulate all of them and wish them the best.

We are still not over this. What we have to deal with in the far north-west of the state is ongoing. We have to keep a vigilant eye on the weather patterns this weekend, as we anticipate more rain. Hopefully our rain events can be spread out over a sufficient period so that these flood events do not progress in the future.

Hopefully the review that is being put in place by the Victorian government will more than satisfy what Mr Tee has called for. I am sure it will, and I am sure Mr Comrie will produce an outstanding report that will help us in the future.

Ms TIERNEY (Western Victoria) — I also rise in support of the motion moved by Mr Tee. The Honourable Daniel Andrews, the Leader of the Opposition in the Assembly, has been calling for an inquiry for some time. I am particularly pleased that the government has now responded, as recently as 4.42 p.m. yesterday, with a media statement announcing the inquiry, its terms of reference and who will be conducting it. I am sure many other Victorians will be looking forward to participating in the inquiry.

I say from the outset that it is important that during the inquiry added weight be given to the perspective of regional councils. Most of the devastation has occurred in outlying rural council areas. Those councils by and large have small populations, a low ratepayer base and often a population demographic with a disproportionate number of older Victorians. They also cover large geographical areas and, as a result, have significant infrastructure under their watch. They are faced with a number of challenges up-front. As recently as yesterday it was recorded yet again in *Hansard* that these councils have not only had the most recent floods but also experienced floods before Christmas, drought, locusts and now fires and fruit fly. I say up-front that we really need to pay attention to the context in which these disasters have occurred over not just the recent time but the years leading up to it.

It is important to have an inquiry at this juncture while we still have vivid memories of our recent experiences in those local communities and with the knowledge that has been gained during the past few months. Those

memories and vivid experiences have been captured by, obviously, individuals, but they have also been captured by community organisations, service organisations, local government and state government, and they are also being fed through to the federal government. All those people and organisations have important stories to tell that need to be fed to the inquiry.

Yesterday I mentioned some issues that have been raised by a number of people and organisations. I would now like to quickly go through those and a couple of others, because it is important to flag the types of issues that I am already hearing people wanting to talk through and discuss as part of the inquiry.

The first is the need to get flood mapping done beyond what has already occurred. Mr Barber pointed to a number of the northern rivers that desperately need some work done as quickly as possible. Coupled with that, we need to have more accurate information about flood peaking.

We also need to have a broader discussion about the timely release of finances to get certain things going in terms of not just individual families but also community enterprises that really are the hub from which a number of other things flow. When they are weak, the rest of the community is weak.

We might also need to look at the way councils are currently not allowed to use in-house labour to restore damaged infrastructure if they want to be reimbursed by government sources. As I mentioned yesterday, the rule at the moment is that they need to use contractors; they cannot use council employees. This leads to greater inefficiencies, and I would argue that it is not cost effective, but that will be for the inquiry to sort out.

The other issue that has been raised with me is that it is usually stated that repair work is to include only restoration, not improvements. When a significant asset is damaged you really need to understand the context in which it was damaged and also work out ways in which the restoration of that asset can include improvements so that it cannot be damaged to that extent, or damaged at all, the next time. That is a particular issue that needs to be talked through in relation to the damage to the various weirs in our river system. We also need to look at the nature of emergencies and what needs to be done, but that proves difficult because rural communities are at some geographical distance from what that source of assistance might be.

Another thing that will be very useful in the inquiry is to get on the record the number of activities that were undertaken during the floods by local people who came

up with practical solutions on the run that may not have necessarily complied with the strict letter of the law. It would be interesting to see whether the solutions that were worked through can be applied in the future and what the implications from their efforts may or may not be downstream. A good example of this is sandbagging, and related issues including the height and location of the sandbagging and what occurs in terms of legal liability if it does not work. A number of communities undertook those sorts of activities and they would welcome some clarification about what may or may not occur next time there is a flood.

I am particularly looking forward to the inquiry focusing on the preparation that needs to be undertaken over and above what occurred in recent times, including whether our immediate response measures as individuals, towns or emergency services were adequate and whether we have the spread of skills and personnel needed to do the massive audit that is required on the ground to find and look through all the areas that have been damaged. That should not be just in terms of physical damage but should also include an assessment of the psychological difficulties that are building up in each of the communities, as has been highlighted to me by a number of local governments.

We also need to have a proper assessment of small businesses and agricultural businesses so that we can have some idea as to the degree of recovery that our local economies need to work towards. There will be enormous property damage, and that was spoken about at large yesterday. A lot of that is going to involve erosion, damaged fencing, and property and stock losses, and we will need to look at how we may be able to assist our agricultural sector, including farmers, in these areas.

The whole vexed and expensive nature of infrastructure, including roads, the drainage system, weirs and community infrastructure, also needs to be examined. If we can get some of those older members of the community who can remember the different floods in their local areas over the years to contribute their knowledge, I think that will assist enormously in future flood mapping.

We look forward to this inquiry. I am pleased that Mr Tee has moved this motion. It just so happens that the government announced the inquiry yesterday, and I think everyone will be working hard to ensure that their issues and voices are heard throughout the inquiry. I commend this motion to the house.

Motion agreed to.

PRODUCTION OF DOCUMENTS

Mr BARBER (Northern Metropolitan) — I move:

That this house requires the Leader of the Government to table in the Council by 12 noon on Tuesday, 1 March 2011, a copy of documents detailing the funding agreement (and any amendments to the original agreement) between the state of Victoria and HRL Ltd, provided under the energy technology innovation strategy (ETIS).

This motion requires the Leader of the Government to table in the Council by the next sitting week a hopefully not very extensive set of documents detailing the funding agreement and any amendments to that original agreement between the state of Victoria and HRL Ltd to provide state funding for a proposed coal-fired power plant.

The state and federal governments have promised \$150 million towards the HRL coal-fired power station, and this motion seeks a copy of that agreement. Members of the public have a right to know what they are getting for their money, especially when the amount is \$150 million, and what benefits accrue to the broader public interest. There are certainly other less polluting energy generation projects out there, such as gas plants, that are getting up without such a subsidy, and we know that this plant will employ few people in either its construction or operational phases.

The proposal for this plant is a matter of great public interest — and is becoming more so every day. It is currently going through its Environment Protection Authority licensing process and through that process has attracted 4000 written submissions, mostly in opposition to the plant. If a licence is issued for this plant, it will be in a complete policy vacuum with relation to emissions — certainly emissions from long-lived infrastructure such as this — particularly given that this government has no plan or path to reduce emissions.

This is not a demonstration plant, as it was originally billed; it is now a full-blown 600-megawatt power plant which is likely to emit around 3 million tonnes of CO₂ per year. The Premier during the election expressed doubt about his ability to achieve even the modest 20 per cent cut in emissions which is now contained in legislation that all parties in this Parliament supported. That task is not going to get any easier if this plant is approved and then receives a public subsidy to make it commercial.

The HRL proposal seems to be changing from that which was originally promised — that is, the use of clean coal. It is now being billed as using dual gas — that is, coal gas and natural gas — to fire the plant. The

technology to be employed back at the time the then Minister for Energy and Resources, Peter Batchelor, approved the funding was supposed to be world leading, but the proposal seems to have been constantly changing since that original funding commitment, and of course more than five years have gone by. We should have the information available to us to understand how the proposal for the plant has changed from the original one that the Labor government committed to funding. For all those reasons the government should make this funding agreement public, and we request that it do so according to the terms of my motion.

Hon. P. R. HALL (Minister for Higher Education and Skills) — This is the first documents motion we have debated in this Parliament. I suspect that given the pattern of such motions in the previous Parliament it may be the first of many to come. From the new government's point of view, as an honest and accountable government we are happy to make available documents that are the subject of reasonable and fair requests made by members.

Mr Viney interjected.

Hon. P. R. HALL — I note that Mr Viney, our new Deputy President, laughs, because on a number of occasions in previous parliaments he was standing in exactly the same position making the same speech that I guess I will be making. I suppose essentially the response to Mr Barber is that we will use our best endeavours to supply the materials.

I might add that this is a project of significance. That is why it is a project that is the subject of funding from both state and federal governments. It is also a project of great significance and interest to me as a representative of the Eastern Victoria Region and a person who has lived in the Latrobe Valley for a large part of my life.

It needs to be put on the record in response to this motion that there is always going to be some consideration in relation to a request for documents as to whether there is any commercial confidentiality associated with them and whether there is any cabinet confidentiality associated with them. I expect Mr Barber would acknowledge that they are considerations which need to be taken into account, whether the documents are being requested through this mechanism — by way of motion in the house — or by a formal FOI request. Given that this request for documents relates to details of the funding agreement, those matters will need to be considered in relation to the release of the documents. Given the normal

considerations of what sort of information can be released, I can assure Mr Barber that the government will make every effort to comply with his request for documents.

Mr VINEY (Eastern Victoria) — It is interesting to be contributing to this debate from a different place.

Hon. M. J. Guy — You're asking for them now, mate!

Mr VINEY — No. The position the opposition will be taking is absolutely consistent with the position that we took when in government — that is that in relation to the first request for documents we are happy for the house to make such a request, and we always were. Despite Mr Guy's cynical expression, we never opposed the first request for documents. In fact I suspect Mr Hall may well have read one or two of my speeches, because his words were quite consistent with what we said. He probably did not need to; he heard them often enough. Of course the request for documents should be made, and the consideration of that request should be in accordance with the principles of executive privilege.

What is interesting about these documents that have been called for, and the reason the government is probably very happy to be cooperative with this request is that it appears these documents actually relate to the previous government's discussions. If the new government were so inclined, it would choose to release the documents whether the house asked for them or not. I suspect that is why the government has been quite cooperative in this first instance.

I know that members on the other side are wanting to suggest that I am in fact taking a different position to the one I took in the past, but I am not. My position is exactly the same: the house may make a first request for documents and the government of the day should consider that request in accordance with the principles of executive privilege, commercial-in-confidence and cabinet confidentiality matters, as it would in the normal process of an FOI request or any other request for documents.

It is interesting that the new government, with 21 members in this chamber, has not proposed a new version of what was in the last Parliament's sessional order 21. It has not proposed that, and it has not proposed the process which it imposed upon the previous government — a process of insistence and a process that in fact led to the suspension of the then Leader of the Government.

The new government has been absolutely inconsistent with the position it took when in opposition. The government has not proposed a sessional order that complies with the sessional order that it put in place when it was in opposition. I suspect this is a sign of the new government's mere lip-service to the issues of accountability and openness and that the real test will come when this house requests documents that relate to the new government. Having 21 members in this place, the real test of the new government will be whether or not in those instances it is prepared to support a motion, just as the opposition did on motions requesting documents when it was in government. That is when the real test will occur on these matters. The question will be whether or not the new government will support the request for new documents that relate to its activities as a government, as we did when those requests were initially made.

Mr BARBER (Northern Metropolitan) — I thank the minister and Mr Viney from the Labor opposition for what clearly is going to be support for this motion.

Briefly in reply let me say to the minister that in this case we are talking about a document that is a funding agreement between a company and the government, so I would be highly surprised if there was a cabinet confidentiality aspect that would have to be considered, that the cabinet's seal has been broken by providing a document to a private company. On commercial-in-confidence considerations, I have no doubt that, as a member of this chamber, the minister will be balancing both the advice he receives from the solicitor-general and the advice he previously received from Bret Walker. Clearly the minister has the option to remove any information that is highly sensitive from a commercial perspective.

In relation to Mr Viney's comments, I do not believe this document is the creation or property of a particular government; it is a funding agreement between the state of Victoria and a commercial enterprise, therefore no-one can claim ownership of it. However, I note the government is still considering its position on its attitude to commercial-in-confidence matters. As far as I know we have not yet received the previously hidden parts of the desalination contract, so I have no doubt that government members will be considering that matter together with this one and other issues they have about the release of information that might relate to the commercial affairs of a particular company.

I thank members for their support of my motion.

Motion agreed to.

GOVERNOR'S SPEECH

Address-in-reply

Debate resumed from 21 December; motion of Mr ELSBURY (Western Metropolitan) for adoption of address-in-reply.

Hon. M. J. GUY (Minister for Planning) — It is a pleasure to speak on the address-in-reply, particularly from this side of the house. In commencing I should congratulate the many people who stood in my region, the Northern Metropolitan Region, including my new colleague Mr Ondarchie, who has already made a tremendous impression on us all in this great chamber. I welcome him.

The election of 27 November last year was a seminal moment in Victoria's history. Victorians had to decide between following a path, which would have led to where New South Wales is today, and changing — changing for the better. Victorians have sent a very clear message that the days of inappropriate and rogue behaviour of the past government, particularly in relation to planning, are over. It is important to note the result of that election and what occurred in terms of the alliance between Labor and the Greens.

Mr Barber interjected.

Hon. M. J. GUY — I note that Mr Barber has gone back to his old days of interjecting. Welcome back, Greg! The one thing we did notice was how much all around Australia the Greens talked themselves up as the new saviours — the new 20 per cent of the voters, the new people who were going to win lower house seats. In *Hansard* last year Mr Barber is reported as saying the Greens were going to have majorities in both houses, but the people of Victoria found Greens policies to be wanting, as they did the policies of the now Labor opposition.

Mr Barber — Do you reckon?

Hon. M. J. GUY — Mr Barber, the Labor Party is now in opposition, so the answer to that is: yes, I do reckon — I do reckon so, mate!

The reality is that Victorians have voted for a clear change, particularly in the planning portfolio. Having been a shadow minister for four years, after producing a comprehensive planning policy for Victorians I noted the contrast between Labor and the coalition.

Mr Tee interjected.

Hon. M. J. GUY — Mr Tee had 11 years in government, and what did his mate Mr Madden produce? Not a single page!

Mr Tee interjected.

Hon. M. J. GUY — Mr Tee talks about *Melbourne @ 5 Million* and *Melbourne 2030* — documents produced by public servants. Members of the Labor Party are now running around saying, 'This is our election policy'. Where was their strategic agenda? What did they believe in as an ideology? What did they fundamentally believe in after 11 years? I will give Mr Tee a guarantee: should we be here in 11 years time we will not be letting public servants draft our election documents. We will draft our own policies based on our ideology — our own beliefs and our own values. Our policies will not be based on opinion polling and push polling done by others through FOI requests. Our policies will be based on the fundamental core values of the Liberal Party and The Nationals.

During the last election Baillieu government members campaigned decisively on urban renewal, including Fishermans Bend and the projects around E-gate and the areas to the west of Melbourne which will see the largest areas for urban change in Melbourne — indeed in Australia — since the redevelopment of Canberra. These things are real.

An advantage Melbourne has over other major cities in Australia is its ability to renew its inner urban centres with minimal infrastructure upgrades and to put in place infrastructure that is cost efficient and cost effective. We can put in place higher density dwellings that can be accommodated in areas of a predominantly industrial or commercial base that can deal with substantial change over many decades. Members of this government have said that we will put those processes and structures in place in the term of this government, and I am proud to say that the Baillieu government will achieve that commitment.

We will deliver on urban renewal for Victoria, and we will deliver on outer urban growth. We have said that our boundary in growth areas should be examined every two years by an independent process that does not involve planning advisers or government advisers on level 1 at 1 Treasury Place picking whose land should be or should not be within an urban growth boundary.

The fundamental and important core policy in relation to planning — transparency — will be adhered to by the Baillieu government. We will have a clear and fundamental approach when it comes to planning our

outer urban growth areas that will mean that people will be able to apply through an independent, merit-based process that will not be assessed by government advisers or the minister. Who knows who drafted the boundaries or actually approved the boundaries for the 2010 expansion of the urban growth boundary?

Mr Barber — Parliament did.

Hon. M. J. GUY — It did, but the Greens did not even show up for the vote, so how would Mr Barber know? The Greens did not even show up for the vote! So much for being opposed to it.

But who knew who came up with those final recommendations? We do not know; however, we do know that under a coalition government an independent process will be put in place so that everyone will know. The people of Victoria will have a very clear understanding of the merits of what will and will not be involved in a boundary review process. Let me contrast that with what this government has taken over. What I will note today, and what my colleagues Mr Finn and Mrs Peulich have noted in the past, is the incredible change in the relationship between the Labor Party and the Greens in the last four months, particularly in relation to planning. Here we have two parties the members of which were at each others' throats last year. We had Mr Lenders calling the Greens 'the Green political party'. Do you remember all of that? Mr Lenders could not even say the word 'Green' with an S on the end — he had to say 'the Green political party'.

During the first lunch of the new parliamentary sitting period I noticed Mr Lenders puckering up to the Greens. He was having lunch with them. It was all kiss and make-up; all is forgiven. The Left has come back to itself and the socialists have united again — that is, the Greens and the Socialist Left spokesperson for the Labor Party. I noticed soon after that, in fact on the news the next night, Daniel Andrews, the Leader of the Opposition in the Assembly, was asked a very important question: 'Mr Andrews, are you still a socialist?'

An honourable member interjected.

Hon. M. J. GUY — Yes, but he is a member of the Socialist Left and thinks the Berlin Wall should still be standing. It is a question that should be asked. Are you still a socialist, Mr Andrews? Mr Andrews answered that socialism had moved on nowadays. I ask Mr Tee, who is a member of the Socialist Left, if he is still a socialist? Is Jacinta Allen still a socialist? Is Daniel

Andrews still a socialist? Do they think the Berlin Wall should still be standing or not? Come in spinner!

Mr Tee — On a point of order, Acting President, the reply to the Governor's address is a broad document, but on relevance I question the extent to which Mr Guy has digressed.

The ACTING PRESIDENT (Mr Elasmarr) — Order! My understanding is that it is a broad debate, but Mr Guy should return to the debate.

Hon. M. J. GUY — I notice the coalition of the Bolsheviks and the Mensheviks is now one which is unable to sustain any criticism. Of course if Brezhnev wants me to stop, I will cease and go back to something more worthwhile from his point of view. I refer to the last time the former government issued a planning policy, which was in 2006 and which advocated Melbourne 2030, a one-size-fits-all policy.

Mr Ondarchie interjected.

Hon. M. J. GUY — That is a very good question, Mr Ondarchie. Who did write it? It was written by public servants. It did not even have the hand of the government in it, supposedly, and yet the government adopted the policy and said it was its own. The government said it had this grand new vision for Melbourne which pleased no-one and had very little consultation. It was designed to get the Greens preferences at the 2002 election — —

Mr Barber interjected.

Hon. M. J. GUY — And it achieved that. Mr Barber and the Greens endorsed Labor preferences in 2006 — the government they supposedly hated — and also in 2010. In fact Justin Madden, now the member for Essendon in the Assembly, is only back in this Parliament because of Greens preferences, as are the members for Eltham, Narre Warren North, Albert Park and others. A whole bunch of Bolsheviks have been elected to Parliament on Greens preferences — and that is the only reason they are back in the Parliament.

Melbourne 2030, which all those Greens-preferenced members were elected on the back of, is now dead. They all said it was a good policy for Melbourne. Melbourne 2030 is over. The concept of building anything anywhere is over. This city will have what we have always been good at: structured, proper planning which meets community expectations, meets long-term goals of population accommodation and maintains a livability of which Melbourne should be proud. It has been vastly diminished during the last decade, which

was the decade of anything anywhere. It was a rogue decade for planning in Victoria which saw planning treated with disdain and community and councils treated with disdain by a government elected on the mantra of standing up for democracy. Indeed, Steve Bracks, who was elected in 1999 to stand up for democracy, did more than any other Premier in Victoria's history to diminish local democracy, and that will be his legacy in terms of democracy in this state.

The members who sit opposite, who are now in opposition, never expected to be there.

Mr Barber interjected.

Hon. M. J. GUY — Nor did Mr Barber expect them to be there, but they are there because when you treat people with contempt you get what you deserve — and Labor treated people with contempt when it came to planning. This government, as I said, has a very different agenda. We genuinely believe in taking the councils and communities with us on planning. We believe that is part of the solution. We do not see them as part of the problem. We may not agree on everything, but we want to engage as many people as we can in this process rather than simply treating them with contempt.

The coalition government will not sit by and see Melbourne turned into an unlivable version of Sydney. The coalition Baillieu government will see Melbourne as part of a structured, proper and transparent planning policy, a planning vision which embraces people and growth but which also says that growth must occur sustainably in certain areas. Importantly, those who advocated the 2030 line, the Labor Party and the Greens, those who never stood up vocally against amendment VC71, such as the Labor Party and the Greens, should hang their heads in shame for the damage that has been done to the built form of our city over the last decade.

A number of members have been elected to this side of the house from rural and regional Victoria. They saw their communities treated in a one-size-fits-all approach, from Mallacoota and Moe to Cape Bridgewater and up to Mildura. The Labor Party view on planning in country Victoria was simply that they were all farms or towns. It took a blanket approach and felt that those in country Victoria did not really matter, that they could all work it out for themselves.

However, the coalition government seeks to ensure that regional Victoria is treated on a regional basis, because there is great disparity between Gippsland and the Mallee, South Gippsland and West Gippsland or the

valley or East Gippsland. This government believes that we should preserve the character of those areas of regional Victoria to ensure that regional Victoria can prosper from its own benefits and strengths. The one-size-fits-all policy of Justin Madden and John Brumby in planning for regional Victoria is over.

This government believes country and regional Victorians have a right to set their own planning policy for local areas as part of a cooperative relationship with the state government. We do not believe in a top-down approach out of 8 Nicholson Street. We have already begun those processes because we believe regional Victoria plays a very important part in the growth of the state into the future. That is one of the key reasons we put on the table \$1 billion over eight years for regionalisation and decentralisation, because it will provide incentives for people to live outside the Melbourne metropolitan area.

Under the previous decade-long regime, the 11 dark years of the Bracks and Brumby governments, we saw regional Victoria treated with complete contempt. There was a failure to understand regional Victoria, so much so that to buy a brand-new greenfields block of land in Traralgon today is more expensive than land in some areas of metropolitan Melbourne. How on earth is that a way of incentivising people to go back to regional Victoria?

The previous government spent over \$1 billion to upgrade the railway line hoping people would move to Traralgon and then subsequently put a boundary around the town. It did not expand Traralgon; it increased land value to the extent that people could not buy into the market. It constricted growth in Traralgon, a regional centre. That is what you get when you have a government in office for 11 years that is fundamentally out of touch with community aspirations for where regional cities should be.

The coalition government has committed itself to a visionary planning policy for this state. As I said earlier, this is a policy that was unmatched by my political opponent Justin Madden, now the member for Essendon in the Assembly and formerly Minister for Planning, who issued nothing. After spending four years learning to be the Minister for Planning his vision for Victoria was a blank sheet of paper. He failed to appear in public during the election campaign except on two occasions when he issued staged releases and on another occasion when, after a week of pressuring, he participated in a debate with me on 774 ABC radio. At the end of the day the 13.5 per cent swing against him in the seat of Essendon was indicative of how Victorians felt the last planning regime had been

administered. He was re-elected only on the preferences of the Greens; the green Bolsheviks put him back into Parliament.

I simply say: planning in this state from now on will never return to the rogue days of the Labor regime of the last decade. We will conduct planning in a visionary, long-term manner to bring people with us. We may not agree on everything, but at the end of the day there will be a philosophical approach to bringing people with the new government and not treating councils and communities with contempt, which is what has been done for the last 11 years.

Debate adjourned on motion of Mr TEE (Eastern Metropolitan).

Debate adjourned until later this day.

STATUTE LAW REVISION BILL 2011

Introduction and first reading

Hon. D. M. DAVIS (Minister for Health) introduced a bill for an act to revise the statute law of Victoria.

Read first time.

Sitting suspended 11.54 a.m. to 12.03 p.m.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Teachers: remuneration

Mr LENDERS (Southern Metropolitan) — My question is to the Minister responsible for the Teaching Profession. I refer to the government's commitment that 'All Victorian teachers will be elevated in the current round of EBA negotiations to the highest paid teachers for their level in Australia', and I quote from the Liberal-National party coalition media release of 13 April 2008. Does the minister unequivocally stand by that commitment?

Hon. P. R. HALL (Minister responsible for the Teaching Profession) — In his supplementary question the Leader of the Opposition might like to provide me with the exact source of that first quote.

Honourable members interjecting.

Hon. P. R. HALL — No, the first quote he gave in his question was not sourced. I say in response to the question asked — —

Honourable members interjecting.

The PRESIDENT — Order! I am sure opposition members are interested in the minister's answer. The minister is being very patient.

Hon. P. R. HALL — So far I have heard seven possible sources for that quote from opposition members. I would welcome the Leader of the Opposition clarifying that in his supplementary question.

I have said before in response to an adjournment item raised by my colleague Mr Elasmar that in respect of this matter we have appointed a Minister responsible for the Teaching Profession — me. We have said quite categorically that every election commitment given by this coalition government will be delivered in full and in total, and in respect of enterprise bargaining, which will be undertaken with representatives of the teaching profession during the year, those processes are about to start. They are four-year agreements and, as Mr Lenders would know, having been the previous minister responsible for those agreements — I think he was the minister responsible for the last EBA (enterprise bargaining agreement) that was negotiated with the teaching profession — those matters will be debated in full when we sit down at the negotiating table with representatives of the teaching profession.

Supplementary question

Mr LENDERS (Southern Metropolitan) — For Mr Hall's benefit I quote from the Liberal-National coalition media release of 13 April 2008 entitled 'Coalition to make Victorian teachers highest paid in Australia'. I am quite happy to share his release with him. I thought Mr Hall was equivocal in his response to my substantive question. He said unequivocally that he would honour the government's election commitment, but he also said, 'We will start a negotiation'. My supplementary question to Mr Hall is: will he personally seek to ensure that his unequivocal commitment is passed on to Tony Bugden and the other negotiators from the Department of Education and Early Childhood Development when they sit down with the Australian Education Union to negotiate the next EBA?

Hon. P. R. HALL (Minister responsible for the Teaching Profession) — Again I respond in the following manner to the Leader of the Opposition: as he well knows, a formal and defined process for negotiation takes place with any EBA. This government will sit down with those people who register themselves to be an interested party in the EBA

negotiations. That can be one party, but it is more likely to be many such parties. When we sit down with those parties under the framework that is defined by state and federal legislation we will negotiate an outcome that I am confident will meet the needs and reflect the abilities and work commitments of the teaching profession.

Hospitals: financial viability

Mr RAMSAY (Western Victoria) — I direct my question to the Minister for Health, and I ask: can the minister update the house concerning revelations about the financial viability of Victoria's public hospitals in the last financial year?

Hon. D. M. DAVIS (Minister for Health) — I thank the member for his question and for his strong advocacy for rural hospitals in the west of the state, where he represents the people of western Victoria. I draw the house's attention to the report — —

Honourable members interjecting.

The PRESIDENT — Order! I welcome Mr Viney's appointment as Deputy President, but I think he will find that the house will give him greater respect if he sets a fine example in terms of the level of interaction he has in the general debates of the house. Four interjections in the space of around 20 seconds is way too many by my calculation.

Hon. D. M. DAVIS — The house will be aware of the tabling in the chamber today of the Auditor-General's report entitled *Acquittal Report Annex C — Public Hospitals*. I urge all members of the chamber to read this Auditor-General's report, which lays out a series of close investigations into the financial viability of Victoria's hospitals. I note that 13 per cent of public hospitals had a high-risk operating result for 2009–10, which is in contrast to 2008–09 when no public hospital was assessed as high risk against this measure. The proportion of medium-risk underlying results increased notably to 66 per cent, compared to 45 per cent in 2008–09. There is undoubtedly a debate about how depreciation is brought forward, and the former Treasurer will understand that, as does the Assistant Treasurer in this chamber.

I make the point very clearly that this is not primarily a report on the individual performance of many of these public hospitals. What I am most interested in is the patterns and processes that have occurred over a period of time. I understand that there is debate between people of goodwill about the Auditor-General's

approach in this instance, but I accept that he makes some very legitimate points.

I draw the house's attention to the table on page 22 of the report, which is an assessment of the average number of days of cash available to public hospitals. It is clear that there has been a deterioration in the amount of cash available over a five-year period. The number of hospitals in the Auditor-General's high-risk category has grown and the number in the low-risk category has declined over that five-year period. I make the point that I am not so much drawing the house's attention to the individual hospitals or even to the department. I think this is a report card on the former health minister, now Leader of the Opposition in the Legislative Assembly, Mr Andrews. This is his report card.

I make the point that these long-term, five-year trends will take some time to turn around. In the case of the legacy that has been left by Mr Andrews after his time as health minister, this will be like turning an ocean liner around. It will be like turning an oil tanker around. We have had five years of careering in one direction with a deterioration in performance, and now we are going to have to slowly turn that around.

It is going to take some time. The department is going to have to work with the hospital boards and chief executive officers, who by and large do an excellent job. But the minister did not understand the importance of working with the department and working with the particular agencies.

I draw the attention of the house to the table on page 57 at the back of the report, which points to the rural hospital average self-financing capacity, for example in Mr Ramsay's region, and which shows that over a five-year period the trend is down. The trend is down in terms of capital replacement. These are the lessons to take from the Auditor-General's important examination. The debate will continue between the Auditor-General, the department and the agencies about the precise way we should bring these things in. But at the same time it is important to listen to what the Auditor-General says and to make sure that Mr Andrews is held accountable for his stewardship period.

Teachers: scholarships

Mr LENDERS (Southern Metropolitan) — My question is to the Minister responsible for the Teaching Profession. I refer to the minister's commitment to supercharge the primary school curriculum by recruiting maths and science specialists and offering teaching scholarships for science graduates. My

question is: how many maths and science graduates is the minister proposing to recruit, when and at what cost?

Hon. P. R. HALL (Minister responsible for the Teaching Profession) — Again the Leader of the Opposition reminds the house of some policy commitments given by the coalition parties prior to the election. I want to repeat that those election commitments will be delivered in their absolute entirety by the coalition government. There will be no issue and no debate; they will be delivered.

That election commitment — as are all election commitments, I might add — is dependent upon budgets being able to be brought down by the coalition government. Those budgets will see funding forthcoming from 1 July. When the budget is handed down in this chamber in early May there will be funding allocated to apply from 1 July onwards. At that time a recruitment process will commence for those particular positions for maths and science specialists that were promised prior to the election, and that process will extend over a period of time; I am talking of the order of 12 months.

Supplementary question

Mr LENDERS (Southern Metropolitan) — I thank the minister for his answer and note that 'unequivocal' means subject to a budget at some stage in the future. I ask a specific supplementary question of the minister: what instructions is he giving to his negotiators as part of the EBA (enterprise bargaining agreement) to incorporate provision for paying maths and science teachers more if it is such an unequivocal and central part of his commitment to education?

Hon. P. R. HALL (Minister responsible for the Teaching Profession) — In terms of the connection which the Leader of the Opposition seeks to draw between a commitment to employ specialist maths and science teachers and the process of enterprise bargaining agreement negotiations that take place during the course of the year, I again say clearly that the election commitment for the employment of specialist maths and science teachers is not contingent on any EBA negotiations. That will be a separate process required by law; it will be completely separate from the employment of specialist maths and science teachers.

An honourable member interjected.

Hon. P. R. HALL — If they are employed, they will be paid.

Vocational education and training: government initiatives

Mr FINN (Western Metropolitan) — My question without notice is directed to the Minister for Higher Education and Skills, who is also the Minister responsible for the Teaching Profession. I ask the minister to advise the house of any initiatives since the government's election in November to remove financial barriers to vocational education and training for young Victorians.

Hon. P. R. HALL (Minister for Higher Education and Skills) — On coming to government the coalition inherited a funding system for training in Victoria which under the previous government was generically called 'skills reform'. While skills reform had some desirable aspects — in particular, a training guarantee for young Victorians — it also had some undesirable aspects. Members in this chamber will know that during the course of the last government I was critical of some of those aspects — for example, the fact that training was guaranteed and government support was provided only to those who were upskilling rather than to those who were acquiring skills of an equivalent or lower level.

Another matter I was critical of was the increase in fees for diploma and advanced diploma students. The fees under the previous government were increased from \$877 to \$2000 for this year and \$2500 next year. Clearly the work undertaken by the coalition parties and indeed by the previous government towards the end of its term, showed that there were many people from low-income areas who were not enrolling in diploma and advanced diploma courses at the same rate because of that cost burden. Despite the fact that vocational education and training fee help was available to them, the accumulation of debt was a significant barrier to those people wishing to study at the diploma and advanced diploma levels.

So it was that we made a pre-election commitment to provide concessional places in diploma and advanced diploma courses for health-care card holders, and that was a \$56 million commitment over four years. I am pleased to say that that commitment has now been honoured — that is, that policy has been implemented — and from 1 February health-care card holders in the 15-to-24 age group have been able to enrol in a diploma or advanced diploma course at the concessional rate of \$100 instead of the \$2000 that they would have been required to pay under Labor.

We expect this to benefit around 5000 students in Victoria. We have used the 15-to-24 age group criteria

because they, more than any other sector, are more represented in unemployment or are not in full-time education figures.

In parallel to this commitment we are undertaking a review of fees and charges within the TAFE sector, and that review is expected to be completed in October of this year. I am hopeful that that review will enable us to extend this concessions policy to a broader range of people. That is the intent and wish of the coalition government.

To answer Mr Finn, that is one way in which we have significantly assisted young people to get involved in training at a greater level. I might add that the coalition has also committed \$40 million over four years to extend the number of exemptions from the payment of full fees granted to those who wish to extend their training skills. That part of the election commitment will start once the budget comes down on 1 July. It has been warmly welcomed by people right across the sector.

I am pleased to say that in terms of some of the most undesirable aspects of the skills reform process the coalition government has already acted and will continue to act to address some of those unfair positions.

Health: budget cuts

Mr JENNINGS (South Eastern Metropolitan) — My question is for the Minister for Health. I note that in the minister's previous answer he said there are ongoing financial pressures within the health budget, notwithstanding the fact that the government of which he is a part has inherited a capital asset program four times the size of that inherited by the previous government.

Honourable members interjecting.

Mr JENNINGS — I thank you, President, for the comprehensive support you have given me during the course of my asking this question! I also note that the significant growth demand issues — —

Hon. M. J. Guy interjected.

The PRESIDENT — Order! I advise Mr Guy that I have already reprimanded Mr Viney for incessant interjection. Mr Guy has also crossed that line.

Mr JENNINGS — I just made the point about excessive growth demands within the health portfolio. Despite this, the incoming government has committed to \$1.6 billion worth of savings during its first term of

office, of which \$338 million is going to come out of education. What is the saving in health, and how will it be achieved?

Hon. D. M. DAVIS (Minister for Health) — Let me be very clear. The government was clear about its savings before the election; it brought those up-front, unlike the former Brumby government that introduced health cuts by stealth. Every year productivity cuts were put through by stealth without that government being honest about them. At least this government indicated precisely the savings that will be made and made a strong effort to ensure that hospitals will be quarantined. They will be made in the bureaucracy. They will be made without any job losses; they will be made in consultancies. They will be made in ministerial offices and in a whole range of areas that are not about service delivery.

Supplementary question

Mr JENNINGS (South Eastern Metropolitan) — For years the Minister for Health has been demonstrating his forensic understanding of the health portfolio. Clearly, he has said to us that the savings will be made. He also knows that 90 per cent of his budget is not discretionary because it goes straight to hospitals. Where is the minister going to find the savings? How is he going to implement programs that curtail demand, and is he going to introduce programs that may affect the intensity of service provision either at the beginning or the end of life?

Hon. D. M. DAVIS (Minister for Health) — Let me be very clear. Any savings made in the health portfolio by this government will make savings made by Mr Jennings's government under former Premier John Brumby pale into insignificance. Our savings will be focused on areas that are not about service delivery but are about ministerial offices, advisers, consultancies and other costs that are not about service delivery. The focus will be there, unlike Mr Jennings's government, which was not up-front with the cuts.

Employment: government initiatives

Mr ELSBURY (Western Metropolitan) — My question is to the Minister for Employment and Industrial Relations, Mr Dalla-Riva. I ask the minister: what are the Baillieu government's plans to strengthen and expand employment opportunities for Victorians?

Hon. R. A. DALLA-RIVA (Minister for Employment and Industrial Relations) — I thank Mr Elsbury for his question and for his ongoing interest. Obviously the member has an understanding of

the important area of employment and growth. This government has set a framework to ensure that employment and industrial relations are part of its forward planning. We have indicated our commitment to the employment portfolio. We see it as one of our highest commitments moving forward.

As I have indicated before, through the machinery of government we now have the Department of Business and Innovation. This department will be clearly focused on being pro-business, on supporting business and on providing the economic environment for employment and an industrial relations base that is about support and about the creation of real jobs in a timely manner.

We see the need to work collaboratively with industry and manufacturers to ensure that — as Mr Elsbury would be aware, because there are lots of industries in his region, as there are in other regions — we work better and smarter to get a full return and better value on the global market. We heard Mr Hall talk about ensuring we have the skill base necessary for our workforce, and the training schemes that have been announced will be part of the overall economic package looking forward. In working with Mr Hall we have focused on ensuring we deliver those economic outcomes that are good for employment opportunities.

It is also good to note that compared to the former Labor government we are about focusing our commitment on ensuring that we do not develop our economic growth just through population growth but that we do it by developing innovative business practices and by encouraging and supporting our entrepreneurs in their search for new opportunities. That will include going into the export market, of course, and looking to overseas and at other opportunities that may be provided to Victoria. We are about ensuring that Victoria is leading the way in employment.

We are also conscious that the high value of the dollar is making it very difficult. Unlike those opposite, we know government cannot solve all the problems of industry in Victoria. But what we can do is ensure that we provide a good framework within which government can operate and support industry and that we do not to interfere, as we know the former government did — for example, the level of red tape we have seen which has stymied opportunities for business to invest in Victoria. We know that construction costs in Victoria far exceed those of other states. We know there is a range of other things that we need to be aware of. We also have to understand that there are thousands of individual businesses looking to identify market opportunities, especially in our regions,

and to find innovative ways to improve so they can stay ahead of the game and provide service to their customer base.

This government is about focusing on employment opportunities and is not about being obstructionist or about imposing red tape. It is not about imposing government barriers everywhere you look. We are focused on ensuring that we have a strong economic base, which will deliver a good base for employment and a good base for an industrial relations framework in Victoria.

Housing: waiting list

Ms MIKAKOS (Northern Metropolitan) — My question is to the Minister for Housing. I refer the minister to the release of the December 2010 housing waiting list and the substantial decrease of 5 per cent in the waiting list as a result of the record investment by state and federal Labor governments in housing supply. How can the minister claim that increasing housing supply is the only way to reduce the waiting list when her government has committed only a miserable \$30 million to emergency housing over four years and nothing at all to additional housing supply?

Hon. W. A. LOVELL (Minister for Housing) — I thank the member for a question on housing rather than her asking a question on early childhood for the 82nd time. Yes, the public housing waiting lists have come out this week; we released them this week, and yes, there has been a reduction in them.

One of the first things we did when we came into government was to ask for a review of all the empty Office of Housing properties. That immediately reduced by 500 the number of properties that were empty, so we have more families in housing that way. We have also adopted a more proactive approach to better manage people’s applications for housing. We are working with people to get them into housing, whether it is into public housing, advising them on the opportunities available through community housing or providing bond loan assistance for them to get into the private rental market.

The Baillieu government is committed to servicing Victorians, providing services that work and providing houses for Victorian people. We will continue to do that through the national affordable housing agreement, which provides dollars for investment in public housing in this state. We will support our community housing sector, and we will better service Victorians in their housing needs.

Supplementary question

Ms MIKAKOS (Northern Metropolitan) — Can the minister inform the house of just how much the waiting lists will be reduced through her two reviews into public housing, or are these reviews — part of the 76 promised by the government — just an excuse for her to do nothing?

Hon. W. A. LOVELL (Minister for Housing) — As the shadow minister knows, there are ongoing audits and reviews of these things. We need the facts they will deliver to us, and we will deliver for Victorians.

WorkCover: compliance

Mr O’BRIEN (Western Victoria) — My question is to the Assistant Treasurer, Mr Rich-Phillips. I ask the Assistant Treasurer: can he outline any initiatives to reduce the WorkCover compliance burden for employers?

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — I thank Mr O’Brien for his question, congratulate him on his election as a new member for Western Victoria Region and commend him for the work he is already doing in support of flood-affected communities in his electorate.

Mr O’Brien asked me about government initiatives to reduce the WorkCover compliance burden on employers. This issue is of great importance to the Victorian government. As my colleague the Minister for Manufacturing, Exports and Trade indicated in his response to a question earlier this afternoon, reducing the compliance burden for employers and businesses in Victoria is important to ensure future investment in Victoria and to ensure that existing Victorian businesses continue to operate in this jurisdiction.

During the election campaign the government made a number of commitments to focus on the compliance burden associated with WorkCover. One of the most complex areas that employers need to deal with is accident compensation legislation. We are committed to ensuring that it is easier for employers, workers and the Victorian WorkCover Authority to meet their obligations and responsibilities under that legislation. We are committed to ensuring that the WorkCover scheme is financially sustainable, that it provides appropriate rehabilitation and compensation to injured employees and importantly that it ensures that injured employees can get back to work as quickly as possible.

These objectives are made easier to meet where the requirements of the act are spelt out as simply as possible to employers and employees, so I am delighted

to advise the house that the Victorian WorkCover Authority has now released four draft compliance codes in respect of return-to-work matters. The codes that have been released include employers' return-to-work obligations, a provision for return-to-work coordinators, return-to-work information and guidelines on cooperating with labour hire employers on return-to-work matters. The purpose of these compliance codes is to provide clear, practical advice to employers and injured parties as to how to meet their obligations under the accident compensation legislation. It is intended that compliance with the code will indicate compliance with the legislation.

These four codes have been released in draft form for public comment. They have been on display for public comment for approximately a month, with the comment period to close on 11 February. I look forward to seeing public comment from employers, workers and their representatives and industry associations as to the effectiveness of these draft codes, and I look forward to the proposed codes being finalised and put in place by WorkSafe Victoria so that employers and injured workers better understand their responsibilities and the pathways to return to work.

Planning: Toolern

Mr BARBER (Northern Metropolitan) — My question is for the Minister for Planning. Just prior to the state election the minister's predecessor put in place the precinct structure plan for the Toolern growth area, and integral to that plan for the major activity centre for Toolern was a yet-to-be-built railway station on the Melton railway line. Can the minister tell the house whether he is committed to maintaining provision for this railway station in the planning scheme, and at what point could we expect that railway station to be built?

Hon. M. J. GUY (Minister for Planning) — As Mr Barber knows, the Toolern precinct structure has been approved, and this government recognises the necessity for a station to be built in Toolern. The timing of the construction of the new railway station that is planned for that location is a question for the Minister for Public Transport. I am more than happy to obtain an answer for Mr Barber and take it up with him at a later time.

Supplementary question

Mr BARBER (Northern Metropolitan) — If I understand it correctly, the government will maintain the provision for the station, but we do not know if or when the station will be built. I would therefore like to ask a supplementary question. In the minister's

substantial rewrite of the state planning policy framework through amendment VC75, in which I think he changed a sum total of about 25 words, he maintained the *Melbourne 2030 Audit* as a reference document for the planning scheme but removed as a reference document *Melbourne 2030 — A Planning Update — Melbourne @ 5 Million*. I ask the minister: is Toolern now a designated major activity centre in the Melbourne 2030 sense, with the Melbourne 2030 doctrine maintained under the minister's proposed changes, and, if so, what implications does that have for the planning of the Toolern activity centre?

Hon. M. J. GUY (Minister for Planning) — In terms of the VC75 amendment, before the election the government had committed to reverse what had been changed through VC71, which is what amendment VC75 does, as Mr Barber well knows. In terms of the reference document and removing the references to *Melbourne @ 5 Million* but retaining references to *Melbourne 2030*, we clearly acknowledge that you do not replace metropolitan planning policy with nothing. We do not believe you give certainty back to an industry with nothing. Anyone should know that, otherwise you would be putting forward a plan where anyone can do anything at any stage — —

Mr Barber — You said that's what Melbourne 2030 is.

Hon. M. J. GUY — That is what Melbourne @ 5 Million was fundamentally about, and that is not what I believe should be the case for green wedges or for areas within the urban growth boundary. As such, it will take this government around two years, as we have said, to come back to the people of Victoria with a metropolitan planning strategy that will be finalised after a period of consultation with industry, councils and people — with people like Mr Barber, I am sure. We have also said that some of the new areas — —

Mr Barber — Yeah, I'll have a go.

Mr Jennings — It's an offer!

Hon. M. J. GUY — It is a sincere one, Mr Jennings, and it is an offer open to you too. Some of the growth areas will obviously be — —

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

Planning: government initiatives

Mr ONDARCHIE (Northern Metropolitan) — My question without notice is to the Minister for Planning,

and I ask: can the minister inform the house of any plans the Baillieu government has to speed up the planning system in Victoria, particularly for local councils?

Hon. M. J. GUY (Minister for Planning) — What a privilege it is to be asked a question by my friend and colleague Mr Ondarchie, a member for Northern Metropolitan Region. It is a privilege to have Mr Ondarchie represent the same region as me as a Liberal member for Northern Metropolitan Region. In the past Mr Ondarchie and I have discussed at length some of the delays that have been encountered in the Victorian planning scheme as a result of 11 years of Labor neglect and mismanagement of the planning scheme.

On 6 December 2010 I was given an update by my department telling me that there were a total of 97 outstanding requests for authorisation of planning scheme amendments across Victoria. That meant there were 97 bits of paper — 97 briefs — on Justin Madden's desk from councils asking, 'Dear Minister, may we please begin the process to change part of our planning scheme?'. Some of them dated back to as early as December 2006. What on earth had Justin Madden been doing all day? I wondered whether Justin Madden had been agonising over footy tips, or watching *The Simpsons* perhaps. I do not know what on earth he was doing to have 97 requests for planning scheme amendment authorisations lined up on his desk.

This government has acted very quickly. We have put in place a process where all those authorisations will be dealt with within seven days, as a first stage to removal. As at two days ago only 30 of that 97 were remaining on my desk, which means 69 per cent of Justin Madden's workload has been accomplished in seven weeks. I do not know what he did for four years, but 69 per cent of it has been removed in just seven weeks!

It is no wonder that councils agonised over the incompetence of the Bracks and Brumby governments and agonised over the incompetence in planning of the top-down, nanny-state, government-knows-best approach by the people opposite. Of course the same tired, old faces sit on Labor's front bench; the same clapped-out front bench Labor went to the last election with exists there today. Should there ever be a change of government again, that pile, which will be greatly reduced to zero by the Baillieu government, will pile its way back to 97 and beyond under a Labor government that treats councils as enemies in the planning system and does not work with councils and communities to find real results for planning issues in Victoria.

Sitting suspended 12.42 p.m. until 2.03 p.m.

STATEMENTS ON REPORTS AND PAPERS

Economic Development and Infrastructure Committee: manufacturing in Victoria

Ms PULFORD (Western Victoria) — It is nice to have an opportunity to speak on the government response to this report a little earlier than originally anticipated, and I welcome the engagement and discussion across the chamber between my colleagues.

Honourable members interjecting.

The PRESIDENT — Order! The conversation across the chamber between Mr Viney and Mr Finn is probably of great interest to both of them, but it is not to the rest of us; we are actually listening to Ms Pulford.

Ms PULFORD — As I was saying, the document I would like to make some comments on this afternoon is *Victorian Government Response to the EDIC Inquiry into Manufacturing in Victoria*, a report in which I believe you had an interest and involvement, President. We discussed this inquiry a little in the previous Parliament when the committee's report was tabled towards the end of that Parliament.

The new government has now taken the opportunity to respond to the report. At the time the committee's report was tabled, a great many recommendations had been made. As I understand it from members of the committee, a reasonably cooperative and bipartisan approach was taken to exploring both within Australia and across a handful of international locations some of the things the Victorian Parliament could do and what the Victorian government could do to support our manufacturing industry.

Manufacturing is an incredibly important part of our economy. It is the largest employing sector of our economy, as the government's response notes. In the opening comments the Minister for Manufacturing, Exports and Trade, Mr Dalla-Riva, remarks:

Victorian manufacturing accounts for over \$30 billion in gross state product, employs over 311 200 people in mainly full-time jobs —

that is important to note, as many other sectors of the economy do not provide anywhere near the same number or proportion of full-time jobs —

exports over \$9 billion in goods and services, and spends over \$1.6 billion on research and development.

A great many of our largest manufacturers and those that contribute such a great proportion of export earnings are in regional Victoria, with a good number of them in my electorate, particularly in the food industry. My colleagues from Western Victoria Region would all be familiar with the massive contribution made particularly by the dairy industry as a component of the Victorian economy.

A great many recommendations are made in the committee's report, and I note that the government intends to support all but two of them. The government has declared in this response that it will not support the following recommendation:

That the Victorian government exempt apprentice wages from the payroll tax.

The response goes into some detail about the government's reasons for that.

The other recommendation the government is not supporting is:

That the Victorian government establish a brokering service to assist both manufacturing companies and researchers explore opportunities for collaborative partnerships. The brokering service should include an online and searchable directory of relevant research projects.

There are probably a couple of recommendations there that have been well thought out and considered that the government is not planning on taking up, but many of the recommendations do have support, whether fully, in part or in principle.

The minister in his response talked a little about procurement and about having earmarked \$1.4 billion to purchase 40 new six-carriage suburban trains for the Melbourne transport network. I note also that the vast majority of these are not funded in this term of the Baillieu government. Given the retirement of the Hitachi trains, capacity on the network is not expected to be increased in this parliamentary term, and I urge the government to support our manufacturers through procurement at every opportunity.

Budget update: report 2010–11

Mr P. DAVIS (Eastern Victoria) — I take delight in making some remarks on the budget update 2010–11. This document is a revelation of the dubious financial management practices of the former Labor government. It provides incontestable evidence that the Labor government, under the Steve Bracks-John Brumby-John Lenders model, was a government for the good times that failed any test of prudence. As a consequence Victoria has been left exposed to a high

level of risk, and the more fragile and difficult economic conditions that exist now will see Victoria facing challenges in future years. In this light it is timely that the government has initiated an independent commission to review Victoria's finances and to guide us through the remainder of the decade.

I have to say that the budget update confirmed what many of us have long suspected: Labor consistently spent more than it received in revenue. The result is that government expenses increased from 11.8 per cent of Victoria's economic output a decade ago to 14.6 per cent in 2009–10. Expenses rose by 8 per cent per annum over the decade, compared to revenue growth of only 7.3 per cent over the same period. Net debt for the public sector is rising by a multiple of 1.4 per cent of the state's economy, or \$3.9 billion, in 2007–08 to a projected 8.3 per cent, or \$30.7 billion, by 2013–14. We need to look at that in terms of what the impact on the budget will be. From a housekeeping point of view, the state is paying interest of \$963 million on its debt this year, and its forward commitments to borrowings will almost double, with the interest bill rising to \$1.8 billion in 2014.

It is clear that the expenditure within government on things like self-promotion, advertising and the hiring of costly external consultants was one reason for the spending overrun.

Mr Drum — Not to mention myki.

Mr P. DAVIS — We may come to that.

The other reason was the former government's propensity to embark on grand schemes which have all ended up costing a multiple of the original estimate and in some cases have saddled Victorians with additional costs that will extend to the next generation.

The first of the three obvious examples of such schemes I will refer to is the desalination plant. It will cost \$5.4 billion to build; however, the Auditor-General has found that Labor framed the contract for the delivery of water from the plant so that the total cost over the 27.75 years will be \$18.08 billion. That equates to \$1288 per megalitre, providing that the full 150 gigalitres of water which the plant is capable of producing each year is taken from it and delivered. If that much water is not delivered, the unit cost will of course be higher.

The cost of the myki transport ticketing system is headed towards \$1.35 billion, and we see daily evidence that the project is struggling to meet its objectives.

Then there are the smart electricity meters, which are costing \$2.25 billion to roll out and will involve an annual charge to consumers of another \$150 on their power bills. We can only think that this example of government policy and implementation is reminiscent of the disastrous commonwealth pink batts affair.

Compounding the problems arising from these debacles, the new government will incur substantial expenditure in rebuilding the vast areas devastated by floods and nurturing their economies back to good health. I had some experience of the impact on the budget of the East Gippsland floods of 1998, and that was only a microcosm of what has occurred in northern and western Victoria in the last month or so. Clearly this will have a big impact on the budget.

I have also noticed that Labor failed to invest adequately in fundamental economic and community infrastructure; certainly services and facilities have not been supported in the way they ought to have been. There was a rare opportunity for Labor to consolidate Victoria's economic position during the boom years but it squandered that opportunity, and that will mean the Baillieu government will have to repair the damage.

Budget update: report 2010–11

Mr LENDERS (Southern Metropolitan) — I rise to speak on *2010–11 Victorian Budget Update*. It is amazing how one document can produce such different responses from Philip Davis and from me.

I notice that Mr Davis has left the chamber. Obviously the bright spotlight of truth has scared him off. President, if you look at this document, you will see that it is basically one that the Department of Treasury and Finance would have prepared for whoever the Treasurer of the day was. There is a bit of political invective injected into chapter 1, but other than that it is exactly the same document as the pre-election budget update was, with a bit of economic forecasting that was released by the Secretary of the Department of Treasury and Finance on the 12th day, or whatever it was, of the state election campaign.

Let us look at some facts behind this report. It is a ringing endorsement of the financial management of the state for the last decade or more, which I think Mr Davis would do well to reflect upon because it is a good foundation for his government to build on. We acknowledged in government that we were left a sound financial base by our predecessors. We criticised their social policy but we acknowledged the sound financial base, and I think it would be courteous for Mr Davis to do the same.

Let us go through why that is the case. Firstly, Mr Davis talked about government living beyond its means. As he would have heard if he had have listened to the budget in 2008 or seen if he had read any of the 15 or so documents since, the Victorian government did borrow during the global financial crisis for essential capital works. Further, if Mr Davis had read this budget update or last year's budget he would see that debt as a percentage of the economy was coming down by the end of the forward estimates period, as should occur under a prudent government. He would also see that in actual dollar terms borrowings were coming down by the end of the forward estimates period. I applaud the commitment made by the new Treasurer to keep that trend going. It is sound financial management, hence that is why the Labor Party did it and why the coalition is saying it will do the same thing. Let us look at the facts in that area.

Mr Davis also talked about the growing percentage of the economy that was the state budget. If Mr Davis looks at exactly those charts and looks at them forensically, he will see that up until the global financial crisis expenditure as a proportion of the state economy was coming down. It went up during the global financial crisis and secured jobs. If he also forensically looks through the document, he will find that the lion's share of that extra expenditure came from federal programs that were passed through the Victorian budget, the most notable being some of the programs Ms Lovell referred to in question time today, including the social housing areas and some of those areas passing on funds through grants to non-government schools and the like. If Mr Davis wants to look through the budget papers forensically, he will see that they show there was sound financial management.

I repeat: when Labor was in government it gave credit to the Kennett government for its financial management; it was critical of its social policy but very supportive of its economic policy. I think it would do the house well for an analysis of this issue to at least get the facts right. Governments will disagree on what the priorities of spending are. There is no right or wrong in that; there will be an argument about the priorities of spending. This government will have different priorities from the previous government, and that is its prerogative; in particular, if the government's priorities are part of an election commitment, it is the government's obligation to do so. Nevertheless, let us compare facts with facts.

The Victorian economy is an incredibly diversified economy. It is no coincidence that during the global financial crisis Victoria was one of the few jurisdictions in the world to predict budget surpluses going forward

and to see employment growth. An analysis of the inherent strengths of the Victorian economy would be useful in that context. In particular I would advise the new government that before its members start reciting their mantras in the areas of manufacturing and primary industries they should start looking at some of the reasons those areas of the economy were made strong.

If we want primary industry in regional Victoria to grow, a good starting point would be not to take the Regional Infrastructure Development Fund (RIDF) out of the Department of Business and Innovation and put it into the Department of Planning and Community Development. A situation could arise wherein a foreign investor might come to Victoria and might want to look at building jobs in this state. With the previous synergy that existed under the Labor government, such an investor could go to a RIDF person at Regional Development Victoria and say, 'I have got a job', and the RIDF person would say, 'We have an opportunity in Wodonga, Bendigo, Warracknabeal' or wherever, but that arrangement has gone. I suggest that the new government look to the strengths of the old and build on it rather than trying to trash a sound economic legacy.

Ombudsman: investigation into allegations of improper conduct by a councillor at the Hume City Council

Mr FINN (Western Metropolitan) — I rise to make a few brief comments on the Ombudsman's report on an investigation into allegations of improper conduct by a councillor at the Hume City Council. I am sure all honourable members are aware that local government is a very important level of government which directly affects so many aspects of peoples lives, so when we see reports such as the one I have in my hand from the Ombudsman about a particular councillor — or indeed a council, as we have seen in recent years — it is deeply distressing to see improper conduct, even corruption, occurring at that level of government.

I commend the Ombudsman on the work he has done on this report. It is a very thorough report. Obviously he has gone right through as much information and evidence as can be obtained, and he has made some conclusions, which I will refer to briefly.

Conclusion 209 on page 38 of his report states:

209. I am satisfied that Cr Atmaca —

being Cr Adem Atmaca, who represents a ward next to the ward in which I live —

invited foreign nationals to Australia for the purpose of investing in a business in which he had a private interest.

I am also satisfied he has used documents which purport to have been endorsed by Hume to do so. My view is based on the following:

the documents are presented on what purports to be council letterhead;

the content of the letters refers to the council on numerous occasions;

Cr Atmaca has used a signature block which gives the appearance of his being 'responsible for economic development' at Hume.

210. These documents were provided to the Department of Immigration and Citizenship in support of visa applications as other private invitation letters had been unsuccessful in obtaining visas for overseas visitors to enter Australia.
211. Cr Atmaca was aware of the purpose for which the invitation letters would be used.
212. I consider that the likely intention of sending these letters was to mislead the Department of Immigration and Citizenship in their assessment of Australian visa applications.

Those with reasonable memories will remember another chap who was elected to the federal Parliament some years ago and who had an office opposite the Broadmeadows town hall — the same town hall that Cr Atmaca works out of. That federal member also had some problems with the Department of Immigration and Citizenship. We all know who I am talking about: Dr Andrew Theophanous. One would hope that Cr Atmaca has not learnt at the feet of the master. One would also hope that Cr Atmaca has not involved himself in some of the activities that saw Dr Theophanous sent to jail. What is it about Broadmeadows? Perhaps the boy from Brighton will be able to tell us next month when he gets there — when he can find it; we are sending Frank McGuire a *Melway* as we speak.

There is a very strong trend throughout the northern and western suburbs that involves impropriety, corruption, jobs for the boys, brown paper bags and a whole range of very distasteful and quite often dishonest and illegal activity, and this trend always involves Labor councils. In all these reports, going back to Darebin all those years ago, the people responsible for the activities documented in these reports have one thing in common: they are all members of the Australian Labor Party. When you think corruption and impropriety in local government you have to think Labor, because that is the way that Labor Party people treat the people who elect them to council.

Hon. M. P. Pakula — You forgot to mention Glen Eira.

Mr FINN — Mr Pakula talks about Glen Eira. We can debate that another day, because I think Mr Pakula, as the then minister, should have a good look at his activities on that one as well. In the meantime I put out a plea to members of the Labor Party in the northern and western suburbs of Melbourne to get their act together, to show a bit of respect for the people who elect them and to get their snouts right out of the trough.

Budget update: report 2010–11

Ms BROAD (Northern Victoria) — I rise to make some remarks on the 2010–11 Victorian budget update. As the report indicates, chapters 2 to 6 outline Victoria's economic and fiscal position as inherited by the government on entering office. Clearly chapter 1 has been written by the new government, and the comments that it includes have clearly been added as a political overlay, so I will restrict my comments to chapters 2 to 6 of the report, which stick to the facts.

It is clear from reading chapters 2 to 6 of this budget update that the report acknowledges that Victoria's finances are sound and confirms the strength of Victoria's government finances. This is notwithstanding the very vocal comments made by the Baillieu government prior to coming to office about the state of Victoria's finances. As much as this government might wish otherwise, the facts are that this report confirms that the incoming government accepts that the state's fiscal settings are consistent with maintaining a AAA credit rating. We all know the importance of a AAA credit rating.

The report clearly acknowledges that the levels of net debt are reinforcing Victoria's AAA credit rating. We also appreciate from reading the introduction to this report written by the new government that the government has committed to maintaining a minimum \$100 million annual budget surplus. This was a policy set by the former government and adhered to through its years in office. It is no surprise that the new government has adopted a policy of the previous Labor government. It is also good to see that the coalition has acknowledged, notwithstanding its rhetoric, that the state's AAA credit rating is assured and existing surplus targets are appropriate.

Mr Davis referred to some risks to the position inherited by the Baillieu government. I refer to what the report has to say about risks to the budget position at page 25. Under the heading 'Expenditure risks' the report states:

Employee expenses are the largest expense incurred by the state. Several major enterprise bargaining agreements are due

to expire in 2011, for police, nurses, teachers and the Victorian public service. If the related costs exceed the available funding, it will impose an expenditure risk or a risk to service delivery.

The Baillieu government has made some very clear statements about its intention to increase wages to nurses and teachers, to make them the best paid in the nation. The opposition will hold them to account for those promises.

We have not heard anything about offsets in terms of what will be provided to ensure that parents and patients will receive better services in relation to those commitments that have been made by the Baillieu government. Here is a clear statement in this budget update, one of the first reports which the new government has had the opportunity to bring into Parliament, and it clearly indicates the risk to the budget position as a result of the commitments it has made. The opposition will certainly hold the government to account.

There is also a reference to natural disasters, including bushfires and floods. We all know about the risk to the budget position and those are not expenses which can, or should be avoided by the new government.

Ombudsman: investigation into allegations of improper conduct by a councillor at the Hume City Council

Mr ELSBURY (Western Metropolitan) — Although my contribution will not be quite as colourful as Mr Finn's, I rise today to talk about the Ombudsman's report into an investigation into allegations of improper conduct by a councillor at the Hume City Council. Before I start, I point out that there are many hundreds of good people across our state who give of themselves to serve local government, whether that be in a city, shire or borough dotted throughout this state. I have great admiration for those who have chosen to take up the role of being a councillor as they give of themselves through their time and efforts. They balance their work commitments, family and civic duties and are paid an allowance which is supposed to remunerate them for the hours they spend doing their work and the costs they incur fulfilling their obligations.

On the whole, they are good people — not too dissimilar from those of us who meet in this chamber. However, there are times when one individual's actions can rock the confidence people have in their local government and in local governments across the state. It is unfortunate that some will use their position as an elected representative to benefit themselves or their

associates, with the potential victims being the very people they have sworn to serve. It is fortunate, therefore, that we have laws governing the conduct of those engaged in local government and that we have a Victorian Ombudsman with the ability to inquire into the conduct of councillors when an issue arises.

In the report, the conduct of Cr Adem Atmaca is presented for all to see. The Ombudsman's report finds that Cr Atmaca misused the council's letterhead in relation to private business dealings, even altering the appearance of the letterhead. It was found that he misused the resources of the council, including council presentations which were prepared for other purposes, for his own business dealings; failed to register his interest in a proposed private business centre; misused his position in the council; and misused the resources of the council to mislead the federal Department of Immigration and Citizenship.

At this point some people might ask what it was that brought this house of cards down? It was a meeting on 11 March 2010, according to the Ombudsman's report, about the establishment of a fast-food outlet. A fast-food outlet was the straw that broke the camel's back! The Ombudsman's report states that during this time:

I received information that at this meeting the director of the landlord company asserted that the planning permit should not contain conditions because he had paid \$5000 to a contact at Hume to 'take care' of the application.

Further on the report states that it was Cr Atmaca who was purported to be that contact. All these actions by Cr Atmaca not only bring his intentions as a councillor into question, but also drag down the very council he purports to be representing. These actions are by no means anywhere in the realm of the disgrace which was the former Brimbank City Council, although I might point out as a passing comment that Cr Atmaca is also a member of the ALP, which is an affiliation that Brimbank councillors shared when their dysfunctional council was relieved of its responsibilities after the then Labor government realised that its mates had gone too far. These are the actions of a man who faced his community in the election seeking endorsement to be their representative but who instead betrayed their trust.

The Ombudsman is concerned that Cr Atmaca breached section 76D of the Local Government Act by misusing his position to gain advantage for himself or for another person. Such a breach carries a serious penalty of up to \$60 000, five years in prison or both. These alleged breaches will be referred to the Local Government Investigations and Compliance Inspectorate for investigation.

ADJOURNMENT

Hon. P. R. HALL (Minister for Higher Education and Skills) — I move:

That the house do now adjourn.

Water: Murray-Darling Basin plan

Mr LENDERS (Southern Metropolitan) — I congratulate the Deputy President on his elevation to the office. It is a great delight to have him in the Chair during this adjournment debate.

The matter I raise is for Mr Walsh, the Minister for Agriculture and Food Security, and I am delighted that Mr Hall, his representative in this place, is here this afternoon.

Hon. P. R. Hall — You're keeping me on the job today, aren't you?

Mr LENDERS — That is right — I am keeping Mr Hall on the job. The matter I raise is a genuine one, not a churlish one. It is probably one of the biggest issues that primary producers in this state face — that is, the certainty of water. One of the biggest issues that the minister faces, wearing both of his hats as Minister for Agriculture and Food Security and Minister for Water, is how Victoria finds its way through the Murray-Darling Basin agreement. While ostensibly this is a water agreement, it obviously has significant issues for agriculture in this state.

Today Mr Walsh put out a press release on Victoria's response to the Murray-Darling approach. In that release he called for, amongst other things, bipartisan support. As opposition spokesperson on agriculture and food security and on water I am delighted to try to offer bipartisan support, but a critical step towards such support is being informed by the government as to what its intentions are, why it is pursuing those intentions and how the opposition can assist.

Let me outline what I, as shadow Minister for Agriculture and Food Security, have faced from this minister. I wrote to him before the last sitting of Parliament asking for a departmental briefing. It was not forthcoming, and I did not press the issue because he was a new minister and my request was made at quite short notice and shortly before a sitting of Parliament.

I subsequently pressed the issue, and the message I got at every juncture was that the minister was busy. I understand that he is busy; he is a minister. Finally I got to the point where we had briefings scheduled for

Monday of this week in both the agriculture and food security portfolio and the water portfolio. On Monday I received a call from the Secretary of the Department of Sustainability and Environment, who said the minister was busy because of the floods. I accepted that. I also received a call from the Secretary of the Department of Primary Industries, who said that he did not like the way the agenda had been constructed. We had organised that agenda a week earlier on his terms. Then I received a message from the minister's chief of staff, who said they were too busy to brief me.

If that is the response of the Baillieu government — that again and again its members are too busy to brief the opposition — that is fine. If its members wish to be discourteous and arrogant, that is fine, but it is a bit rich to ask for bipartisan support and then not brief the other side on what you want to have bipartisan support for, other than putting out a press release.

The action I seek is that the Minister for Agriculture and Food Security let his department brief the shadow minister and while he is at it, wearing his other hat, do the same for the water portfolio. It is much easier to get a bipartisan response if you actually tell the other side what you are trying to do rather than simply issue a press release.

Wannon Falls Reserve: management

Mr KOCH (Western Victoria) — I also congratulate the Deputy President on rising to the office. I know that over the next four years he will endeavour to gain outcomes that will advantage the state.

I wish to raise some concerns that continue to be raised by constituents with respect to the management of our parks and reserves. Particularly over the last decade we have seen a deliberate deterioration in management practices that no longer offer protection or security to those who visit these little natural gems and wish to enjoy our many native vegetation landscapes across much of rural Victoria.

Recently I had the opportunity to visit the popular Wannon Falls Reserve on the Glenelg Highway between Hamilton and Coleraine. As a former local of the district, I am very familiar with this reserve, which is located above the Wannon Falls and for obvious reasons continues to enjoy a high visitation rate. This was again demonstrated on my recent visit, with nine campers from across Australia camping at the site to enjoy everything this part of Victoria offers. The area is postcard perfect with its grand red gum trees and rich farmland all within a 100-kilometre radius of places

like Halls Gap, the southern coastline, the port of Portland, the Coonawarra vineyards and the city of Hamilton, the wool capital of the world.

For some time now, adjoining land-holders have expressed their fears about the ongoing fire risk that this reserve now presents. Little or no fallen timber has been cleared or removed, and the management committee's mowers have often been idle in recent years. Adjoining farmers, who spend much time and effort keeping fuel levels in check on their own properties, remain fearful for themselves and for this small community's safety, particularly during the fire season. In recent times their voices have continued to fall on deaf ears and have been neglected. Their concerns are very real, and regrettably at some stage in the near future these existing fuel loads will threaten not only those who enjoy the reserve but also highway users and the farmers, who for all the wrong reasons are seen as competitors and the enemy of the environment. Nothing could be further from the truth.

My request is that Ryan Smith, the Minister for Environment and Climate Change, join me in visiting the Wannon Falls Reserve and meet both the reserve managers and the adjoining land-holders at this longstanding popular spot, with the objective of reviewing and improving its management regimes. Hopefully common ground can be found that offers all parties greater security and whereby management schedules are no longer in conflict.

Rail: regional link

Ms HARTLAND (Western Metropolitan) — My adjournment matter this evening is for the Minister for Public Transport, and it concerns the proposed regional rail link project, which now seems to be somewhat in limbo. The rail link is a major public transport project for the west, and based on this I had supported the proposal in principle, even though the former government had treated the local residents appallingly. It would appear the current government is also treating residents in the most shocking way by simply not telling them what is going to happen.

It is quite clear from recent statements of the minister and media reports that the regional rail project is now in doubt due to federal funding shortfalls and cost blow-outs. In the west public transport lags behind other regions. The west is the most car-dependent region and has the highest levels of population growth in Melbourne, yet we have the poorest transport. If the regional rail link is not going ahead, an alternative public transport investment needs to take its place. The coalition government should not walk away from the

regional rail link without a guarantee that alternative investment will occur. Significant investment in public transport is needed to bring the west up to par with other regions.

The Liberal Party's pre-election mantra was that Labor neglects the west. If the Liberal government now walks away from the west on public transport, this will be the greatest act of neglect yet. The action I ask of the minister is that he guarantee that the \$1 billion in Victorian public transport funding allocated to regional rail for the west stays in the west.

Schools: building program

Mr SCHEFFER (Eastern Victoria) — Deputy President, I add my voice to those congratulating you on your elevation to your new position.

I raise a matter for the Minister for Education, Martin Dixon, regarding his recent announcement that the government will cut the education budget, forcing it to backflip on its clear commitment to complete the former government's Victorian schools plan on time and on budget. The minister will know there is now widespread concern that the government's decision to pull \$340 million out of the education budget over the next four years will lead to the government reneging on its commitment and resulting in government school students suffering. The government committed to maintaining the former Labor government's \$1.9 billion Victorian schools program, and that means completing the rebuilding or refurbishment of every government school in Victoria by 2016.

Minister Dixon is reported as saying that the reason for the backflip is that there is uncertainty over the number of schools that have been properly upgraded, potentially causing an expenditure blow-out if the program goes ahead. I ask the minister to release the details of the audit he says shows some schools have not been properly upgraded. I ask the minister to provide school communities and me with a list of all the schools that have been upgraded in Eastern Victoria Region as part of the Victorian schools plan and to show how, where and why the upgrades and rebuilding work has not been done properly.

The minister will know that communities right across the Eastern Victoria Region were delighted to see primary and post-primary schools refurbished or rebuilt. They will be very interested to have the government show them exactly how their school council building committees, principals, departmental architects and local builders sold them a pup. School communities will be the first to realise the truth behind

the headline in the *Age* of 30 November: 'Baillieu in front, Kennett and Georgiou are close behind'.

Melbourne Markets: relocation

Ms MIKAKOS (Northern Metropolitan) — I too would like to congratulate you on your elevation, Deputy President. There is probably no-one in the house with a better practical and working knowledge of the standing orders than yourself.

My matter is for the Minister for Major Projects. I wish to raise my concern that the relocation of the Melbourne wholesale fruit, vegetable and flower markets to the northern Melbourne suburb of Epping is at risk of being scrapped under the coalition government. The coalition has ordered an internal review to examine the market project, despite construction on it being already well under way. The project will cost \$300 million, \$200 million of which is expected to be spent by the end of this financial year. It is my understanding that the project was on budget during the term of the previous government.

Quite simply, the Epping site has been shown to be the best location for an expanded wholesale market. It makes sense, given that some 80 per cent of produce comes down the Hume Highway from northern Victoria. Trucks can use the adjoining Craigieburn bypass, the Metropolitan Ring Road and the Western Ring Road to cut 22 kilometres from the average trip.

The Melbourne wholesale markets are a key driver of economic activity in our state, and their future growth and development are vital to the state's prosperity. The Epping site also allows for expansion due to the availability of land nearby. This project will improve local employment in the north as well as sustain the viability of the markets' workforce in the future. Construction alone is expected to create up to 600 jobs, with thousands more once the markets are fully operational in the north. The skills of residents in Melbourne's north will be well matched to those required by the markets.

Relocating the markets will also provide substantial economic benefits to the whole of Victoria through a more efficient market precinct and through the freeing up of the existing Footscray Road site for port and rail development over the next few decades. I understand that in my electorate there has been overwhelming support for the relocation coming from sectors including businesses, residents, the Whittlesea council and the operators of the markets. Even former Liberal federal members Peter Costello and Fran Bailey

understood the importance of this project. Sadly their Liberal state counterparts do not.

The government has created the impression that stallholders can opt out of the relocation when this would jeopardise the viability of the markets. I ask the Minister for Major Projects to urgently commit to the future of the wholesale markets in Epping to ensure the viability and future development of Victoria's important agricultural industry.

Autism: eastern suburbs school

Mr LEANE (Eastern Metropolitan) — I also want to congratulate you, Deputy President, on your new gig.

My adjournment matter is for the Minister for Education, Martin Dixon. It concerns the eastern autistic school. In a previous budget \$8 million was allocated for stage 1 funding to establish a P–12 school for students with autism at the old Ferntree Gully Secondary School site. Further funding was promised by the former Deputy Premier — as an election commitment — for stage 2 works at the school to keep construction consistent on the site and more importantly to complete this very much needed facility at the high standard it deserves.

Since the change of government there has been great concern in the community that the new minister and local coalition MPs have backed away from committing to second stage funding, even though they made all the right noises for parents and the local media in the lead-up to the election about how much they support the establishment of the school.

The member for Bayswater in the Assembly is reported in the local paper as claiming that no-one has fought more for the establishment of this school than her. I do not believe her statement is correct, because I know how much effort the principal, teachers and parents of students at Wantirna Heights School have put into the establishment of this school, seeing that it will be the new location for their preps to go all the way to year 12.

Amazingly the same local Liberal MPs are now saying they thought the \$8 million announced in the previous budget in stage 1 funding was enough to build the whole school. I have to say that that is a bit slack, seeing that the actual line in the budget said 'eastern autistic school, stage 1, \$8 million'. At that time there were reports in the local media around what the funding was for, and that it was for stage 1. The same local Liberal MPs had also commented on those particular articles at the time. It is more than a bit slack; it is either a bit slack or a bit disingenuous. I will not say it is

disingenuous, because I do not believe people would want to play politics with schools and disabilities, so I will just say that it is a bit slack for them to come out and say that.

This is a very important facility that needs to be built. The nearest P–12 autism-specific school for people who live in that area is in Bulleen. The action I seek from the minister is that he not hide behind the weasel words of the local Liberal MPs in that area, but that he fund this project which is very important for the whole community in the Knox area.

Judges: regional services

Hon. M. P. PAKULA (Western Metropolitan) — May I also add my congratulations to Mr Viney on his elevation to Deputy President and express my confidence that he will conduct himself in the same distinguished manner as his predecessor.

My adjournment matter this afternoon is directed to the Attorney-General, and I will commence a practice I hope to continue, which is to use the adjournment debate to raise a matter in a very quick and short way. I am referring to the pre-election commitment made by the Attorney-General about the housing of judges in regional areas on an ongoing basis. The government's pre-election commitments were that judges would be based in the regional centres of Geelong, Ballarat, Morwell and Bendigo on an ongoing rather than short-term basis, but the policy document was short on detail beyond that — that is to say, it did not specify what the government meant by the term 'ongoing'.

The action I seek from the Attorney-General is that he provide me with clarification on whether the term 'ongoing' means that judges will be based in those regional centres on a permanent basis — in other words, judges will live in and be based permanently in those communities — and if that is the commitment of the government, when will that practice commence? I ask that the Attorney-General provide me with clarification on whether the use of the term 'ongoing' is meant to suggest that judges will from now on be based in those communities permanently.

Alpine parks: cattle grazing

Mr JENNINGS (South Eastern Metropolitan) — My adjournment matter is for the Minister for Environment and Climate Change, Ryan Smith. Yesterday I heard my colleague Mr Scheffer outline the issue I am going to raise today, which is about the return of cattle to the high country, in particular national parks within the Victorian high country. I know I am

limited to asking for one action, so I will not ask the series of questions that I could ask the minister — for instance, was it actually his decision to pull the trigger to implement this policy that was forced on the Liberal Party by The Nationals, or was it the Minister for Agriculture and Food Security, who is also the Minister for Water, who was responsible for the administrative chain of command that made this happen? I will not ask the question about whether there is a pecuniary interest and benefit accumulating to members of the Mountain Cattlemens Association of Victoria and whether they are members of The Nationals or the Liberal Party. I will not ask questions about whether there is any agistment fee or stock fee that is a direct benefit and subsidy paid by the Victorian taxpayer. I will not ask questions about any of those matters related to the personal and financial benefit that accrues to those cattlemen through this arrangement. I will leave that for other people to analyse and to comment on at another point in time.

The issue I am primarily concerned about is the issue Mr Scheffer raised, which is the scientific validity of a sensible trial of the return of cattle to the high country, the basis on which that decision was made and the way in which the appropriate protocols and agreements were sought from the commonwealth government. As Mr Scheffer has indicated, there are a number of rare and threatened endangered species in the high country that could potentially be put at risk through the reintroduction of cattle into this very sensitive ecosystem.

My primary interest and the interest I would like the minister to respond to, most importantly beyond what he reports back to me, is to take action to ensure that threatened species are protected throughout this trial. I, the Victorian community, the scientific community and I am sure the commonwealth government would like to be aware of the design and the implementation of measures to ensure the protection of endangered species into the future whilst this totally inappropriate and ostensible trial, which is nothing but an opportunistic return of cattle to the high country, takes place.

Fruit fly: Goulburn Valley

Ms DARVENIZA (Northern Victoria) — Deputy President, I also add my congratulations to those of my parliamentary colleagues on your elevation. I know you will do a great job.

I wish to raise a matter for the attention of the Minister for Agriculture and Food Security, Peter Walsh. The matter I wish to raise concerns the Queensland fruit fly outbreak in the Goulburn Valley that has been declared

today. Whilst this outbreak is on the north side of Shepparton, the humid and warm conditions we have been experiencing in the area will lend themselves to the rapid spread of this pest if immediate action is not taken.

The Goulburn Valley is known as the fruit bowl of our state. It is a major food production area that produces many fruits and vegetables that can host the Queensland fruit fly, such as the many stone fruits grown in the Goulburn Valley, tomatoes — we are big growers of tomatoes in that region — citrus fruits, apples and a range of vegetables.

The issue I am most concerned about is the risk of further outbreaks in the Goulburn Valley and across northern Victoria. I therefore ask that the minister and his department ensure that adequate and timely information is made available, not only to producers but also importantly to the general public, so that more outbreaks across northern Victoria can be prevented. It is important that those who are living in the region remind visitors to the area not to bring fruit into the region. It is also important for people who live in the area and have fruit trees growing in their backyards to be vigilant about checking their fruit and not to leave fallen fruit on the ground.

I understand the Department of Primary Industries is undertaking an eradication program and will be getting in touch with all the people living in the area where fruit fly has been detected. I am also seeking from the minister, in the spirit of a bipartisan approach, a briefing on the fruit fly outbreak in northern Victoria and his programs for detection and eradication, and I ask that information about this pest be made available to me.

Responses

Hon. P. R. HALL (Minister for Higher Education and Skills) — I want to thank all the members who have raised matters on the adjournment tonight. Before responding to those matters I want to indicate that I have a written response to an adjournment debate matter raised by Mr Lenders on 21 December 2010.

Turning to the matters raised tonight, Mr Lenders raised a matter for the attention of the Minister for Agriculture and Food Security expressing his willingness to demonstrate bipartisan support on some of the important issues within the portfolio areas of agriculture and water, but he made the point that that bipartisan support needed to be preceded by adequate briefings. The request put forward to the chamber, which I will happily convey to my colleague Mr Walsh, is the need

for adequate briefings on both of those areas of agriculture and water. That request will be passed on.

My colleague Mr Koch raised a matter for the attention of the Minister for Environment and Climate Change. Mr Koch made a request that the minister accompany him on a visit to Wannon Falls Reserve in his electorate to look at the management practices of that reserve. That request will be passed on.

Ms Hartland raised a matter for the attention of the Minister for Public Transport regarding the regional rail link project, an important piece of future infrastructure for her electorate. She sought some guarantees about funding commitments for that project. I will pass on that request to the Minister for Public Transport.

Mr Scheffer raised a matter for the Minister for Education requesting a release of some information, particularly a list of schools which have been upgraded or refurbished in his and my electorate of Eastern Victoria Region. I will pass that request on to the Minister for Education for him.

Ms Mikakos raised for the attention of the Minister for Major Projects a matter concerning the wholesale fruit and flower market and particularly expressed concern about the review of the proposed relocation of that market to Epping. She put forward some arguments as to why she thinks such a review is not necessary and why Epping is a great place for a new market. I am sure the minister in reading that contribution will give due consideration to the views she has expressed, and I will pass that request on to the minister for her.

Mr Leane raised an important matter for the Minister for Education concerning the provision of autistic services for children in the eastern part of his electorate, in particular the proposed eastern autistic school. He sought clarification as to the funding stages of that project. I will pass that matter on to the Minister for Education and seek some clarification regarding funding so that Mr Leane can pass that on to his constituents.

Mr Pakula raised a matter for the attention of the Attorney-General. He particularly sought clarification of what some terms in the election policy meant — in particular what was meant by the ‘ongoing’ location of judges in certain regional centres. I will pass that request for clarification on to the Attorney-General.

Mr Jennings raised a matter for the attention of the Minister for Environment and Climate Change. In his clever and innovative way he avoided putting multiple questions on the record, but made his points well in the way he phrased his matter for the adjournment debate.

Mr Jennings sought clarification from the Minister for Environment and Climate Change on scientific validity concerning cattle grazing in the high country of Victoria. The matter he raised tonight was much the same as the request made by Mr Scheffer, his colleague who sits directly behind him. Perhaps the next time the member phrases this question he might have regard to standing order 4.11(1), which states in part that a member ‘may not raise a matter which has been discussed in the previous six months of the same session’. Indeed in the past the Chair has ruled that on some occasions members — —

Mr Jennings — But you haven’t answered yet. Good point; Mr Scheffer ran out of time, so it is a good point.

Hon. P. R. HALL — I am not suggesting to the Chair that it should be excluded; I am just saying to the member that when raising matters on the adjournment he should have regard to this standing order because the Chair in future may consider his request to be of such similarity that it could be interpreted as being the same as one put forward by another member. I am mentioning that in passing and by way of guidance for future adjournment matters. Nevertheless, in summary, Mr Jennings made a number of points but sought advice on one in particular. That request will be conveyed to the Minister for Environment and Climate Change.

Ms Darveniza raised an important matter for her electorate with the Minister for Agriculture and Food Security. It concerns the recently announced outbreak of Queensland fruit fly. We all share her concerns about the potential of fruit fly to cause damage to fruit production in the Goulburn Valley region. She made two requests — firstly, that adequate and timely information be given to growers and residents of the Goulburn Valley; and secondly, that she be thoroughly briefed on this matter. I will pass that request on to the Minister for Agriculture and Food Security.

That concludes the list of adjournment matters raised with me tonight.

The DEPUTY PRESIDENT — Order! The house now stands adjourned.

House adjourned 3.04 p.m.